

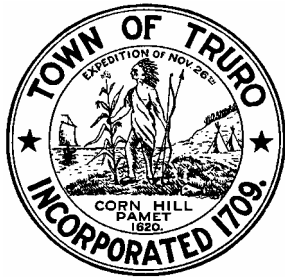
**TOWN OF TRURO**

# **WARRANT**

**ANNUAL TOWN MEETING  
7PM TUESDAY, APRIL 26, 2005  
TRURO CENTRAL SCHOOL**

**AND**

**ANNUAL ELECTION BALLOT  
7:00AM TO 8PM  
TUESDAY, MAY 10, 2005  
TRURO CENTRAL SCHOOL**



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666  
Tel: (508) 349-7004 Fax: (508) 349-5505

Dear Truro Voter

This year's Annual Town Meeting Warrant has a large number of articles for your consideration, but, as in past years, it includes a number of "customary articles" for setting salaries for the Selectmen and the Moderator, transfers of funds from Free Cash to reduce the tax rate and to increase the balance in the Stabilization Fund and the Capital Improvement Fund, and to authorize funds in anticipation of reimbursement of State Highway Assistance Aid.

In other Articles, you are asked to appropriate and approve expenditures of Land Bank funds to pay principal and interest expenses on existing debt and, in a separate Article, to appropriate and expend Land Bank funds transferred to the Affordable Housing Trust Fund, approved by Town referendum in May 2003. These budgets must be separate from the Omnibus Budget, because of separate funding, expenditure, and accounting mechanisms. This year's proposed Omnibus Budget asks your approval of a comparatively small Proposition two and one-half override. Town staff and the Board of Selectmen worked diligently on this budget and believe that a small override this year can prevent a significantly larger override request next year. There are also four related articles requesting additional Town personnel that the Board feels are required to ensure an ongoing efficient, effective, and safe Town operation; we hope that you can support these important requests.

By far, the major bulk of the Annual Town Warrant is made up of two large documents for your consideration: the Revised Local Comprehensive Plan (LCP) and the Revised General Bylaws. The LCP has been under revision for several years and this iteration is offered for your consideration by the Local Comprehensive Plan Committee. Likewise, the revised General Bylaws have been under revision for a year and is offered for your consideration by the Charter and Bylaw Review Committee. We also encourage your approval of both of these important documents.

There are several additional articles that particularly warrant your close consideration. They include: the implementation of the Community Preservation Act (CPA) in Truro; an authorization request to borrow additional funds for the Community Center construction project; an authorization request to acquire two lots as Open Space properties; and several requests to amend the Truro Zoning Bylaw. We request your careful consideration of each of these articles so that we can jointly direct the future of our wonderful Town.

Truro Board of Selectmen

## Truro Finance Committee

April 2, 2005

To All Truro Voters,

As mandated by Massachusetts law, the Finance Committee (Committee) functions as the town's official fiscal watchdog. As such, the committee's primary responsibility is to study, analyze, and offer recommendations to the Town Meeting with regard to Truro's Annual Budget, Capital Improvement Plan and any other financial warrant articles, as well as to understand and monitor the process for setting the town tax rate. The finance Committee must also review and approve all proposed reserve fund transfers for unexpected contingencies.

In its fulfillment of these responsibilities, during late 2004 and early 2005 the Committee held more than 20 posted meetings, one public budget hearing, and a number of meetings with the Board of Selectmen, the Town Administrator, and the Town Accountant. The Committee reviewed and approved numerous funds transfers during the same period. The Committee, in conjunction with the Town Accountant, began a lengthy review process of the town fee structure and identified some deficiencies, as they relate to comparable towns on the cape, and in consideration of services offered. The Committee will continue to monitor the town's fee schedule to ensure fair pricing of services offered to both residents of the town, and visitors.

Early in this fiscal year, the Town Administrator resigned, and the search process began to fill the position. A member of the Committee participated in the search, and a new Town Administrator was hired in the fall of 2004. The Committee met with the new Administrator and has enjoyed a good working relationship with her, as we began the budget process for this next fiscal year.

At the request of the Board of Selectmen, the Committee considered altering the process by which interdepartmental budget transfers are approved. Currently, all line item transfers within a department's budget, must come before the Committee for approval. This results in an unnecessary administrative burden. The Committee believes that department heads should have the ability to manage their own budgets, and while they will be required to present to the Town Accountant a detailed explanation of the line item change, the need to go before the Committee creates an unnecessary administrative burden. The Committee will, on a regular basis, continue to monitor these line item transfers in detail, to ensure that each department head is properly managing his/her budget. Should any irregularities arise, they will be easily and quickly identified. The Committee believes this will strengthen the budgeting process and will allow department heads to better manage their departments.

An analysis of the proposed Omnibus FY2006 annual budget reveals that the majority of the budget is concentrated in the following areas: personnel, education, and purchase and services. The proposed budget also reflects the addition of four new positions and the salary increases as a result of the various union negotiations last year and the subsequent

increase in future budgets. The Capital Improvement Plan (CIP) reflects an emphasis on expenditures relating to the safety and other high priority items, deferring items that may better fit the Town's long term planning. Consideration for the Town's current debt and long term service and retirement schedule was also reviewed and during FY2004. The long term debt was consolidated into one general obligation bond, and due to the low interest rate environment, will result in a savings to the town of almost \$500,000 vs. the previous debt covenants.

The Committee fully supports this year's proposed Omnibus FY2006 Annual Budget and the proposed FY2006 Capital Improvement Plan expenditures. The Committee continues to support the timely maintenance of the Town infrastructure, including both the requisite capital spending and the staff additions necessary to perform ongoing and routine maintenance.

The Committee fully supports the Proposition 2 ½ override proposed by the Board of Selectmen. The Committee believes the override is necessary to meet to growing need of the Town's infrastructure, and to ensure the quality of services expected by Truro residents, while protecting the reserve fund for unforeseen emergencies. This is a difficult balance to achieve, but the Committee believes that the budget and the proposed override achieve an appropriate balance while protecting the future of the town.

The Committee, thereby, recommends that the Annual Town Meeting approve the Omnibus Annual Budget and Capital Improvement Plan Articles for the 2006 fiscal year.

## **TERMS USED IN MUNICIPAL FINANCE**

**Appropriation:** An amount of money which has been authorized by vote of Town Meeting to be spent for a designated purpose.

**Available Funds:** Available funds refer to the Stabilization Fund, Golf Course Receipts Reserved for Appropriation, Beach Receipts Reserved for Appropriation, Pamet Harbor Receipts Reserved for Appropriation, Recreation Receipts Reserved for Appropriation, Conservation Commission Receipts Reserved for Appropriation, and continued appropriations left in Articles voted at previous Town Meetings.

**Overlay (Also called Allowance for Abatements and Exemptions):** The amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year=s Overlay Account no longer required to cover the property abatements.

**Free Cash:** This is the amount certified annually by the State Bureau of Accounts. Town Meeting may appropriate from Free Cash for any purpose. Sometimes referred to as AExcess and Deficiency@ or AE & D@.

**Transfer:** The authorization to use an appropriation for a different purpose; in most cases only Town Meeting may authorize a transfer. However, in Truro, with certain restrictions, transfers may be authorized if the transfer is \$2,500.00 or less, the transfer is within the same Department, and is approved by the Department Head, Town Administrator and the Finance Committee.

**Reserve Fund:** This fund is established by the voters at an Annual Town Meeting through the Omnibus Budget. Transfers from the Reserve Fund are within the exclusive control of the Finance Committee and are for Aextraordinary or unforeseen@ expenditures.

**Stabilization Fund:** This is a special reserve account. Money may be voted into the Fund by a majority vote at Town Meeting. Money may only be appropriated from the Fund by a two-thirds vote at Town Meeting.

**Cherry Sheet:** A form showing all State and County charges and reimbursements to the Town as certified by the Massachusetts Department of Revenue.

## PROPOSITION 2 ½ TERMS

Chapter 59, Section 21C of the Massachusetts General Laws commonly referred to as Proposition 2 ½ (Prop. 2 ½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

**Levy:** The property tax levy is the revenue the Town can raise through real and personal property taxes. The levy is the largest source of revenue for the Town.

**Levy Ceiling:** This is the maximum amount of the levy limit. The ceiling equals 2 1/2% of the Town=s full and fair cash value.

**Levy Limit:** The limit is based on the previous years levy plus certain allowable increases.

**Levy Limit Increase:** The levy limit automatically increases each year by 2 1/2% of the previous years levy limit.

**New Growth:** The increase in the levy limit attributable to new construction and new parcel sub-divisions.

**Override:** A community can increase its levy limit by voting at a referendum to exceed the limit. There are three (3) types of overrides.

**General Override:** A general override ballot question can be placed on a referendum if a majority of the Board of Selectmen vote to do so. If the ballot question is approved by a majority of the voters, the Towns levy limit is permanently increased by the amount voted at the referendum. The levy limit increases may not exceed the Towns levy ceiling.

**Debt Exclusion and Capital Outlay Expenditure Exclusion:** These two override ballot questions can be placed on a referendum by a two-thirds (2/3) vote of the Board of Selectmen. If a majority of the voters approve the ballot question, the Town=s levy limit is temporarily increased for the amount voted at the referendum. The increase may exceed the Towns levy limit.

**Contingent Votes:** Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (Override). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen, it must take place within forty-five days of the Town Meeting vote.

**TOWN OF TRURO APPOINTED COMMITTEES, BOARDS, COMMISSIONS AND  
REPRESENTATIVES TO COUNTY AGENCIES**

**Appointed Committees**

- ☐ Beach Commission\_\_ Board of Appeals\_\_ Board of Assessors
- ☐ Board of Fire Engineers\_\_ Board of Health
- ☐ Cable TV Advisory Committee\_\_ Commission on Disabilities
- ☐ Conservation Commission\_\_ Council on Aging\_\_ Domestic Partnership Bylaw Committee
- ☐ Employee Health Insurance Advisory Committee\_\_ Finance Committee
- ☐ Golf Course Advisory Commission\_\_ Historical Commission
- ☐ Historical Review Board\_\_ Human Services Committee
- ☐ Open Space Committee\_\_ Pamet Harbor Commission\_\_ Recreation Commission
- ☐ Recycling Committee\_\_ Registrar of Voters\_\_ Shellfish Advisory Committee
- ☐ Town Building Committee\_\_ Truro Cultural Council
- ☐ Water Resources Advisory Committee

**Town Representatives to County Agencies**

- ☐ Barnstable County Energy Committee\_\_ Barnstable County HOME Consortium
- ☐ Cape Cod Commission\_\_ Cape Cod Municipal Health Group
- ☐ Cape Cod National Seashore Advisory Commission Nominee
- ☐ Cape Cod National Seashore Highlands Center Representative
- ☐ Cape Cod Regional Technical High School
- ☐ Cape Cod Regional Transit Authority\_\_ Cape Light Compact
- ☐ County Dredge Committee\_\_ Coastal Resources Commission
- ☐ County Solid Waste Management Advisory Commission
- ☐ Truro Representative for Senior Transportation

**TOWN OF TRURO**  
**FISCAL YEAR (FY) 2006**  
**FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

In accordance with the requirements of the Truro Charter (Paragraph 7-2-6), the Board of Selectmen respectfully present for your review the FY2006 Five-Year Capital Improvement Plan.

The expenditures listed are presented to give an updated overview of the projects and capital needs planned for the future. Attempts to define the future, while prudent from a planning point of view, must be fully recognized as "**best estimates**" that will be subject to continual change as each capital question moves forward.

During calendar year (CY) 2003, the Town consolidated all existing long term debt, including certain Cape Cod Land Bank acquisitions, into one general obligation bond and refinanced the debt during a period of low interest rates, saving the Town almost \$500,000.00 over the life of the bond; and concurrently improved its Standard & Poors Bond Rating three (3) levels to an A+ rating. The attached "previously committed long term debt" schedule, and the new "previously committed Land Bank debt" schedule, reflect that refinancing.

Commencing with the FY2002 municipal operating budget, the Town approved a new procedure to incorporate safety and other high priority capital items in the operating budget, up to a maximum expenditure amount to be set annually. If an item does not succeed in being placed in the operating budget for purchase through this Operating Capital Account, Budget Line Item #01-133-5800, then the capital item may be funded in a different manner. As one alternative, the Capital Improvement Fund (approved by Article 17 of the April 11, 2000, Annual Town Meeting) may be used, which is a special fund authorized by a Home Rule Petition to the Legislature and the Governor, and which requires approval by a two-thirds vote at Town Meeting (similar to the Stabilization Fund) to appropriate funds to pay for any purchase using those funds. For the first time, there is \$185,000.00 in the Capital Improvement Fund available for use. Two other ways to acquire a capital item individually require either a separate Raise and Appropriate Article, or a Capital Exclusion Article, on the Town Meeting Warrant. The Capital Exclusion Article is considered to be a so-called "menu-override," requiring a majority vote at Town Meeting and at the next referendum.

For FY2006, most of the safety and high priority capital needs are included in the Operating Capital Account budget request. However, some other FY2006 requested capital items have been deferred to FY2007, or later.

Commencing in FY2003 (approved by Article 8 of the April 30, 2002, Annual Town Meeting), the Town approved a new procedure to incorporate known and anticipated Town-wide preventative building maintenance requirements into the Capital Preventative Building Maintenance Account, Budget Line Item #01-470-5850. Some of these are of a high priority nature due to neglect, lack of available funding, and prior lack of a long-range building maintenance plan.

Under this FY2006 Capital Improvement Plan, the Town Hall new construction and rehabilitation project, which was approved during FY2002, was completed in calendar year (CY) 2004. The new Community Center construction project, which combined a new Council on Aging/Senior Center and Recreation Center, was approved by the Town at the April 2003 Special Town Meeting. Bids were received at prices over \$800 thousand dollars more than estimated. The Community Center remains deliberative.



A proposed new Department of Public Works facility, to be built at an as yet to be determined location, is listed for long range planning purposes only. The new DPW facility construction should be planned to commence only after some current debt is retired in FY2010 and FY2012.

This information is provided to help the voters through the difficult decisions ahead, and to help understand that the tax impact of these projects is in addition to whatever increases may be driven by the Town operating budget.

<b>Previously Committed Long Term Debt</b> <b>(Year Committed/Amount/Repayment in</b> <b>Years)</b>	<b>FY06</b> <b>(\$000)</b>	<b>FY07</b> <b>(\$000)</b>	<b>FY08</b> <b>(\$000)</b>	<b>FY09</b> <b>(\$000)</b>	<b>FY10</b> <b>(\$000)</b>
<b>School (Note 1)</b> (1992/\$4,140,000/20) (Paid-in-full FY2010)	262	257	252	242	237
<b>Public Safety Facility</b> (1996/\$1,530,000/20) (Paid-in-full FY2012)	112	110	108	106	104
<b>Truro Public Library</b> (1999/\$1,108,708/20) (Note 2) (Paid-in-full FY2017)	86	85	83	83	82
<b>Cap Landfill</b> (1999/560,000/10) (Paid-in-full FY 2009)	22	22	21	21	0
<b>Library Remodeling/Town Hall</b> (Staff Relocation) (2002/\$460,850) (Paid in full FY 2008)	75	73	67	0	0
<b>Town Hall Rehabilitation Project</b> (2002/\$3,258,360/20) (Note 3) (Paid-in-full FY2023)	263	259	256	252	248
<b>Sub-total</b>	821	807	789	704	671
<b>Notes</b> 1. The repayment schedule does <b>not</b> reflect the reduced \$179K annual reimbursement from the Commonwealth. If state reimbursements are fully funded, the Town's actual cost for FY05 is \$93K. 2. The total project amount borrowed reflects receipt of a \$640,000 grant from the Commonwealth Board of Library Commissioners, and the receipt of donations in excess of \$400,000, to offset the total cost. 3. The total project amount borrowed has been reduced by receipt of a Small Cities grant in the amount of \$312K					

<b>Previously Committed Land Bank Debt</b> <i>(Note 4)</i> <u>(Year Acquired/Amount/Repayment in Years)</u>	<u>FY06</u> <u>(\$000)</u>	<u>FY07</u> <u>(\$000)</u>	<u>FY08</u> <u>(\$000)</u>	<u>FY09</u> <u>(\$000)</u>	<u>FY10</u> <u>(\$000)</u>
<b>Duarte Property</b> (2001/\$195,000/20) (Paid-in-full FY2013)	24	24	24	23	23
<b>Morea Property</b> (2002/\$312,000/20) (Paid-in-full FY2020)	28	28	28	27	27
<b>Meldahl Property</b> (2001/\$860,000/20) (Paid-in-full FY2020)	73	72	71	70	69
<b>Sub-total</b>	125	124	123	120	119
<b>Notes</b> 4. These three (3) Cape Cod Land Bank acquisitions are shown here for the first time. As noted above, the costs for these three (3) parcels of property have been included in the consolidated and refinanced general obligation bond. Previously, they were being carried under short term debt. Two other such properties, the Hopkins property and the Noons property, have been paid-in-full.					
<b>New and Potential Capital Projects</b> <u>(Year to Commit/Amount/Repayment in Years)</u>	<u>FY06</u> <u>(\$000)</u>	<u>FY07</u> <u>(\$000)</u>	<u>FY08</u> <u>(\$000)</u>	<u>FY09</u> <u>(\$000)</u>	<u>FY10</u> <u>(\$000)</u>
<b>Community Center</b> <i>(Note 5)</i> (2006/\$3,951,000/20) (Paid-in-full FY2025)	356	347	339	330	355
<b>New DPW Facility</b> <i>(Note 6)</i> Land Acquisition/Trade Building Construction (2010/\$3,700,000/20) (Paid-in-full FY2030)	0	0	0	0	0
<b>Sub-total</b>	356	347	339	330	355
<b>Total</b>	1,302	1,278	1,251	1,154	1,145
<b>Notes</b> 5. Construction design planning for a new Community Center has commenced. The total project cost includes a COA/Senior Center and adjoining Recreation Center. 6. The DPW replacement and construction project is listed this year for long range planning purposes only. Actual construction should not be planned until the Truro Central School is paid-in-full in FY2010 and the Public Safety Facility is paid-in-full in 2012. Any such large increase in the Town's long term debt is not recommended until such time as we have retired some of the current long term debt.					

<b>Projected Capital Needs</b> (Includes equipment, technology, and other Department capital requests exceeding \$5,000.00.)					
Department/Item Requested (Estimated Cost \$000)	FY06 (\$000)	FY07 (\$000)	FY08 (\$000)	FY09 (\$000)	FY10 (\$000)
<b>COA</b> - Van (\$7.4) (FY04)	X (Note 1)				
<b>DPW</b> -Transfer Station; Tractor Truck (\$100) -Backhoe/loader (\$70) -Compactor (\$10) -Rough Terrain; Mobile Lift (\$45) - Lift	X	X  X X	X		
<b>Fire &amp; Rescue</b> -Pumper/Tanker (\$250)	X (Note 2)				
<b>Golf</b> -Greens Mower (\$23) -Maintenance Carts (\$4.6) -Tri-Plex Mower (\$21) -Rough Mower (\$22) -Dump Truck (\$30)	X		X	X	
<b>Pamet Harbor</b> -Replace Guardrails (\$8.5) -Truck -Pump out facility	X (Note 3)			X X	
<b>Police</b> -Cruiser (\$36.5) (FY06) (Note 4)	X	X	X	X	
<b>School</b> -Technology Upgrade (\$15) (Note 5) -Air Condition Gym (\$20)	X	X	X X	X	X
<b>Notes</b> 1. As an FY2004 cost reduction measure, the new COA Van was acquired by a "lease/purchase" arrangement for an FY2004 cost of \$7.4K, with the second and third equal payments of \$7.4K due in FY2005 and FY2006 2. This replacement Fire Department pumper/tanker truck may be purchased in FY2006 by debt exclusion. It is a Warrant Article as well as an Election Ballot Question.. 3. This will replace the rusted, old and damaged metal guardrail at the Pamet Harbor parking lot with a heavy duty pressure treated wood structure, more in keeping with the character of the Town. Recommend deferral until such time as the parking lot, ramp, and drainage system are replaced. 4. A police cruiser is needed as an annual replacement. 5. The School has requested this annual technology upgrade in order to keep student and staff technologically current, replace outdated and unsupported hardware and software.					

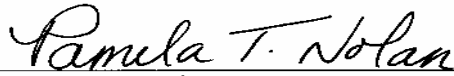
<b>Planned Town-Wide Preventative Building Maintenance Program</b> (Includes years two through six of a twenty-year recommended program.)						
<b>Public Building/Item Requested</b> (Estimated Cost \$000) ( <i>Note 7</i> )	<b>Year Deferred From</b>	<b>FY06 (\$000)</b>	<b>FY07 (\$000)</b>	<b>FY08 (\$000)</b>	<b>FY09 (\$000)</b>	<b>FY10 (\$000)</b>
<b>Temp Beach &amp; Recreation Departments</b> (Old Pilgrim Library) ( <i>Note 8</i> ) -Point/Replace Chimney -Repave/Seal Driveway -Recover Floor/Sheet Vinyl	2003 2004		\$4.5 \$3.6			\$ .05
<b>Recreation Building</b> -Replace Windows/Vinyl Clad -Install Concrete Dust Cover -Replace Ceiling/Fiberglass Tile -Reshingle North Side	2005  2005		\$3.6	\$2	\$2.6 \$2.5	
<b>Cobb Library (<i>Note 9</i>)</b> -Replace Interior Lighting -Acquire Parking Area -Point Retaining Wall & Fix Stairs -Repair Exterior Siding -Building ADA Compliant -Scrape, Sand & Replace & Paint Exterior Trim -Install Storm Sash -Replace Furnace/Oil Tank -Build Parking Lot	2003 2004 2004	\$1. \$4.8 \$8.0 \$4.1 \$2.5	\$30 \$20		\$7.5 \$15	
<b>DPW</b> -Replace 1 garage Doors -Replace Heating System -New 2-Bay Steel Garage		\$1.4	\$10	\$90 ( <i>Note10</i> )		
<b>DPW Paint Shop (Old Truro Fire Station)</b> -Install Hazmat Locker -Replace Roof Shingles -Install Safety Eyewash -Finish Interior Walls	2003	\$2 \$1.3	\$2.8	\$4		

<b>Public Building/Item Requested</b> <b>(Estimated Cost \$000) (Note 7)</b>	<b>Year Deferred From</b>	<b>FY06 (\$000)</b>	<b>FY07 (\$000)</b>	<b>FY08 (\$000)</b>	<b>FY09 (\$000)</b>	<b>FY10 (\$000)</b>
<b>Highland Links Clubhouse</b> -Repair Chimney -Reshingle Roof -Install Concrete Dust Cover -Repair Wood Decks -Replace Fuel Tank -Replace Heating/3-Zone	2003 2003 (Note 11) 2003 2005	\$3.5    \$1.2	 \$7.2 \$3 \$3.5 \$3.1			\$3.0
<b>Highland Links Garage</b> -Add 2 Garage Bays -Hazmat Storage Shed -Paint Building	2002	<b>TBD</b> \$2.4				\$1.5
<b>Public Library</b> -Deferred Capital Upgrade -Emergency Generator -Power & HVAC Upgrade	2004 (Note 12)		\$107			
<b>Public Safety Facility</b> -Install Kitchen Hood -Install Ansel System -Seal Parking Lot -Paint Interior -Replace Water Heater -Powerwash, Bleach & Paint Exterior Siding & Roof as needed -Replace A/C		\$5 \$1.3   \$35	 \$3 \$2.5		\$20	\$8.3
<b>Rental Housing (Note 13)</b> -Routine Maintenance						
<b>Truro Central School (Note 14)</b> -Replace Front and East Side Windows -Replace membrane roof -Replace Exterior Door & Window Trim -Replace Rotted Trim -Replace Carpet with Laminate -Seal Upper Parking Lot/ Basketball Court/Service Road -Replace Roof Shingles -Sand/Repaint Exterior Metal -Refinish Gymnasium Floor -Replace Boilers -Replumb/Install Zone Controls		\$5    \$10	\$65 \$30 \$24.5  \$60	\$47  \$8.5 \$18.5	\$18 \$16	

**Notes**

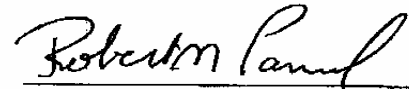
7. Estimated costs **not** corrected for inflation. Costs reflect FY2002 estimates and updated as necessary on an annual basis.
8. Building will be retained for future municipal use. The building is fully ADA compliant and must be maintained. The Beach Office and Recreation Department Office will be temporarily located in this building for FY05 and FY06. The Truro Central School has expressed interest in its future use.
9. The Board of Selectmen voted on 3-29-02 to preserve the exterior of the structure as economically as possible, until such time as an accessible entrance can be provided, and to not sell the building. ADA compliance pends further clarification from the Mass. Office on Disabilities. In the interim, the building must be maintained to prevent deterioration.
10. Additional garage space is needed now to preserve our vehicles. If the new DPW facility is built after the year 2010, this 2-bay garage could be used for other Town storage needs, such as the Harbor and Shellfish equipment, when moved off Town Hall Road.
11. Chimney repair was to be completed by the National Park Service under a reimbursable agreement. This will now be accomplished by the Town as soon as possible, with NPS guidance. Roof reshingling will be accomplished after the chimney repairs are completed.
12. The upgrades include emergency generator, electrical power upgrades, and HVAC upgrade in the main Library. The current HVAC system is inadequate and poorly designed. Additional heat and A/C upgrades are needed now. An emergency generator is needed now for the elevator, computers and building systems operation. The emergency generator may be combined and sized large enough to handle the emergency power needs of the Library, new Community Center, and the new affordable housing and Community Center combined pressurized septic system and leach field.
13. Rental Housing located on Old Firehouse Road is being managed by a non-profit agency. However, under the agreement terms, the Town will be responsible for repairs exceeding \$1K in cost. The non-profit agency is responsible for all other routine maintenance.
14. Truro Central School projected repairs for FY06 and subsequent years to be reevaluated by professional engineer during FY06.

Submitted By:



Pamela T. Nolan  
Town Administrator

Reviewed By:

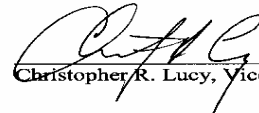


Robert Panesitti, Chairman, Finance Committee

Approved:



Alfred Haechter, Chairman



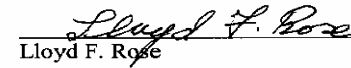
Christopher R. Lucy, Vice-Chairman

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Gary Palmer, Clerk

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Lloyd F. Rose



Paul J. Asher, Best

Board of Selectmen  
Town of Truro

Date April 11, 2005



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**WARRANT FOR ANNUAL TOWN MEETING**  
**TUESDAY APRIL 26, 2005**

**AND**

**ANNUAL TOWN ELECTION BALLOT**  
**TUESDAY MAY 10, 2005**

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Greetings:

In the name of the Commonwealth, you are hereby required to warn the inhabitants of the Town of Truro qualified to vote in town affairs, to meet at the Truro Central School on Tuesday, April 26, 2005 at 7:00pm, then and there to vote on the following articles:

**ARTICLE 1. AUTHORIZATION TO HEAR THE REPORTS OF MULTI-MEMBER BODIES**

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2005 Annual Town Report, or take any other action relative thereto.

Comment: Customary Article

Board of Selectmen Recommendation: 5-0

**ARTICLE 2. AUTHORIZATION TO SET THE SALARY OF THE BOARD OF SELECTMEN**

To see if the Town will vote to determine and set the following as the salary for the Board of Selectmen, who shall receive for Fiscal Year 2006:

Board of Selectmen 5 @ \$2,000.00    -    \$10,000.00

or take any other action relative thereto.

Recommended by the Finance Committee

Finance Committee Recommendation: 4-0

Board of Selectmen Recommendation: 5-0



Comment: Customary article

### **ARTICLE 3. AUTHORIZATION TO SET THE SALARY OF THE MODERATOR**

To see if the Town will vote to determine and set the salary for the Town Moderator, who shall receive for Fiscal Year 2006:

Moderator - \$1.00

or take any other action relative thereto.

Requested by the Board of Selectmen  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: Customary article

### **ARTICLE 4. FY 2006 OMNIBUS BUDGET APPROPRIATION**

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Eleven Million, Six hundred eighty-three thousand, six hundred eighty-seven dollars and no cents (\$11,683,687.00) to defray the expenses and charges of the Town of Truro in Fiscal Year 2006 (the period from July 1, 2005 through June 30, 2006), including the costs of public education, debt service, and interest payments; and to meet said appropriation by the following means: to raise through taxation the sum of Ten Million, Six hundred thirty thousand, eight hundred ninety-nine dollars and fourteen cents (\$10,630,899.14) to transfer from Beach Receipts Reserved for Appropriation, the sum of One hundred eighty-seven thousand dollars and no cents (\$187,000.00); from Golf Course Receipts Reserved for Appropriation, the sum of Five hundred sixty-five thousand dollars and no cents (\$565,000.00); from Recreation Receipts Reserved for Appropriation, the sum of Seven thousand six hundred dollars and no cents (\$7,600.00); from Pamet Harbor Receipts Reserved for Appropriation, the sum of Sixty thousand dollars and no cents (\$60,000.00); from Conservation Commission Receipts Reserved for Appropriation, the sum of One thousand dollars and no cents (\$1,000.00); from the Fund Balance Reserved for Future Debt Payments, the sum of Eighty-eight thousand nine hundred dollars and no cents (\$88,900.00); from the Sale of Cemetery Lots Fund, the sum of Eight thousand dollars and no cents (\$8,000.00); from Land Bank Receipts, the sum of One hundred twenty-four thousand, eight hundred eighty-seven dollars and fifty cents (\$124,887.50); and from the Septic Betterment Fund Receipts, the sum of Ten thousand, four hundred dollars and thirty-six cents (\$10,400.36); or take any other action relative thereto.

Requested by the Board of Selectmen  
Finance Committee Recommendation 4-0  
Board of Selectmen Recommendation: 5-0

Comment: The proposed Fiscal Year 2006 Operating Budget can be found after the text of the Annual Town Meeting Warrant. The Budget format contains the expenditure figures for the Fiscal Years 2003 and 2004, appropriation figures for Fiscal Year 2005, and request for

Fiscal Year 2006 from the respective Departments, the Finance Committee's recommendations and the Board of Selectmen's recommendations.

## **ARTICLE 5. CAPITAL IMPROVEMENT PROGRAM APPROPRIATION**

To see if the Town will vote to raise any or all of the following described sums of money and to make these appropriations contingent upon a so-called Capital Expenditure Exclusion as allowed under the general provisions of MGL, Chapter 59, Section 21C (I ½).

### **SECTION 1. FIRE DEPARTMENT PUMPER TRUCK**

To see if the Town will vote to raise and appropriate the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00) to purchase a Fire Department Pumper Truck; to authorize the Town Administrator to dispose of the equipment that will be replaced by this acquisition, in accordance with Section 5 of the Town Bylaws concerning Town Contracts, and in accordance with the procedures outlined in Massachusetts General Law (MGL) Chapter 30B, Section 15; provided that said appropriation be contingent upon a so-called Capital Expenditure Exclusion as allowed under the provisions of MGL, Chapter 59, Section 21C (I ½); or take any other action relative thereto.

Requested by the Board of Fire Engineers

Recommendation by the Board of Fire Engineers: 5-0

Recommendation by the Board of Selectmen: 5-0

Comment: This engine will replace a 1969 engine that is in extreme need of replacement. This engine will greatly increase our ability to extinguish fires.

### **SECTION 2. TRACTOR FOR TRACTOR-TRAILER**

To see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars and No Cents (100,000.00) to purchase a Tractor for a Tractor- Trailer vehicle for the Transfer Station of the Department of Public Works; to authorize the Town Administrator to dispose of the equipment that will be replaced by this acquisition, in accordance with Section 5 of the Town Bylaws concerning Town Contracts, and in accordance with the procedures outlined in Massachusetts General Law (MGL), Chapter 30B, Section 15; provided that said appropriation be contingent upon a so-called Capital Expenditure Exclusion as allowed under the Provisions of MGL, Chapter 59, Section 21C (I ½); or take any actions relative thereto.

Requested by the Board of Selectmen

Finance Committee Recommendation: 4-0

Board of Selectmen Recommendation: 5-0

Comment: This tractor-trailer is used to move solid waste and recycling to the Seemass Plant in Rochester, MA. This truck is a 1988 with over 300,000 miles on it.

## **ARTICLE 6. TRANSFER OF FUNDS FROM THE FY 2005 OPERATING BUDGET TO THE FY 2005 OPERATING CAPITAL BUDGET**

To see if the Town will vote to appropriate the sum of Seven Thousand and Thirty Eight Dollars and Ninety Cents (\$7,038.90) to the FY 2005 Operating Capital Account line item #01013358 for the purpose of paying greater than anticipated costs associated with the purchase, installation and user training of a new telecommunications system at the Truro Central School, and further, to fund said appropriation by a transfer from the FY 2005 School Operating Budget or take any other action relative thereto.

Requested by the Truro School Committee 4 – 0  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: Cost associated with the telecommunications system was greater than expected.

## **ARTICLE 7. TRANSFER OF FUNDS FROM FREE CASH**

### **SECTION ONE: TO REDUCE OR STABILIZE THE FY 2006 TAX RATE.**

To see if the Town will vote to transfer the sum of Eight Hundred and Thousand dollars and No Cents (\$800,000.00) from free cash to reduce or stabilize the Tax Rate, or take any other action relative thereto.

Requested by the Board of Selectmen  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: customary article  
Comment: customary article

### **SECTION TWO: TO THE STABILIZATION FUND**

To see if the Town will vote to transfer One Hundred Thousand Dollars and No Cents (\$100,000.00) from free cash to the Stabilization Fund for the purpose of increasing the balance of the Stabilization Fund, or take any other action relative thereto:

Requested by the Board of Selectmen  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: The purpose of the Stabilization Fund is to set aside money either for unforeseen needs or for capital projects, a sort of a “rainy day” fund for any lawful municipal purpose. Sound financial practice is to maintain a balance in this fund equal to at least 5% of the Operating Budget. The Current balance in the Stabilization Fund is 6.11% of the Annual Operating Budget.

### **SECTION THREE: TO THE CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to transfer Fifty Thousand Dollars (\$50,000.00) from free cash to the Capital Improvement Fund for the purpose of increasing the balance in the Capital Improvement Fund or take any other action relative thereto.

Requested by the Board of Selectmen

Finance Committee Recommendation: 4-0

Board of Selectmen Recommendation: 5-0

Comment: customary article

## **ARTICLE 8. AUTHORIZATION TO ACQUIRE OPEN SPACE PROPERTY**

To see if the Town will vote to authorize the Board of Selectmen to acquire a portion of a parcel of land which is designated on Truro Assessor's map No.53/54, as Parcel 110 located off Fisher Road in the Town of Truro, Barnstable County, Massachusetts, consisting of approximately 3.55 acres, more or less, and more accurately described in a deed recorded at the Barnstable Registry District of the Land Court as lots 4/5 on a plan entitled "Plan of land in Truro made for Peter V. Poor & Anne B. Poor," November 1, 1993, Plan Book 593; to acquire both parcels by gift, purchase and/or eminent domain taking under Massachusetts General Laws, Chapter 79, or any other enabling authority; acquire said land for open space, conservation and passive recreation purposes pursuant to the provisions of Mass. Gen. Laws, ch 40, §8C; to appropriate a sum of money not to exceed **Two Million and Ten Thousand and No Cents (2,010,000.00)** in anticipation of repayment in accordance with Chapter 293 of the Acts of 1998, as amended, also known as an Act Relative to the Establishment of the Cape Cod Open Space Land Acquisition Program and/or to borrow money pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 7(3) and Section 8©, and/or any other enabling authority, and to issue bonds and/or notes of the Town therefore; to authorize the Town Treasurer to transfer from available sums the sum of **Ten Thousand Dollars and No Cents (10,000)** for the purpose of paying the aforementioned incidental and related costs, including costs for the preparation, issuance and marketing of notes and bonds issued hereunder and for paying interest on temporary notes issued in anticipation thereof; to authorize the Board of Selectmen to apply for, accept and expend any funds which may be provided by the Commonwealth or some other source to defray a portion or all of the costs of acquiring this property, including funding under the Self-Help Act, General Laws, Chapter 132A, Section 11, and/or the Federal Land and Water Conservation Fund, P.L. 88-568, 78 Stat 897, provided that the amount of notes or bonds issued hereunder shall be reduced by the amount of any such grants received or funds accepted prior to the sale of such notes or bonds; to authorize the Board of Selectmen to assume the care, custody, control and management of the property; and to authorize the Board of Selectmen and Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the municipality to affect this purchase and obtain reimbursement funding; or to take any other action relative thereto.

Requested by the Open Space Committee

Open Space Committee Recommendation: 5-0

Finance Committee Recommendation: 1-3

Board of Selectmen Recommendation: Deferred until Town Meeting

Comment: This article represents the only opportunity for the Town to conserve a matchless glacial “dome” south of Pamet Harbor. At an elevation that affords sweeping panoramic views of the surrounding salt marshes, the Harbor, and across the Bay beyond, this extraordinary site is highly visible from the Harbor, Old County Road, and Fisher Road; it features a covering of heath land vegetation now rarely seen.

## **ARTICLE 9. BORROWING ADDITIONAL FUNDS FOR THE COUNCIL ON AGING SENIOR CENTER AND COMMUNITY CENTER CONSTRUCTION PROJECT**

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen to borrow an additional Eight Hundred and Twenty Five Thousand Dollars and No Cents (\$825,000.00) under and pursuant to Chapter 44, section 7(3) of the Massachusetts General Laws or pursuant to any other enabling authority, to pay the additional cost of the Council on Aging Senior Center and Community Center construction project, and to issue notes and bonds thereafter; provided, however, that no additional funds shall be borrowed or expended under the authority of this vote unless the town shall have a vote at a regular or special election to exempt the additional amounts required to pay the bonds or notes authorized hereby from the limitation of Proposition 2 ½, so-called, as allowed under the provisions of Chapter 59, section 21C(K) of the Massachusetts General Laws, or take any action relative thereto.

Recommended by the Board of Selectmen

Finance Committee Recommendation: Deferred until Town Meeting

Board of Selectmen: Deferred until Town Meeting

Comment: Deferred until Town Meeting

## **ARTICLE 10. AUTHORIZATION TO SET THE SALARY OF THE BOARD OF SELECTMEN**

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars and No Cents (\$5000.00) and determine and set the following as the salaries for the Board of Selectmen who shall receive for fiscal year 2005:

Board of Selectmen 5 @\$3000.00	\$15,000
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Or take any other action relative thereto.

Requested by Citizens Petition

Finance Committee Recommendation: 4-0

Comment: The Board of Selectmen has received a stipend of \$2000.00 since the early 1990's. It was at that time that the Board changed from a full time board of three (3) members to a part time Board of five (5) members. Being a part time board, meeting generally one night per week, the Selectmen must, on their own time, do the work they have been elected to do. As the cost of living has risen over the years, the need to earn has also increased, which has reduced the number of people willing to enter the political arena. This

raise will hopefully ease the burden some may feel as a result of having decided to serve and may also increase the number of people that may, in the future, apply to serve on the Board of Selectmen and on other committees. Be assured that if this article does not pass, the Board of Selectmen will continue to serve the community with the same commitment they have already delivered.

#### **ARTICLE 11. FY 2006 LAND BANK BUDGET APPROPRIATION**

To see if the Town will vote to transfer the sum of Ten Thousand Dollars and No Cents (10,000.00) from the Land Bank Account , to appropriate this sum to pay the principal and interest due during Fiscal Year 2006 (July 1, 2005 – June 30, 2006) on outstanding indebtedness and to pay for land surveys and other surveys, appraisals, title searches, testing, and other services preceding land acquisition , and to authorize these expenditures under the direction of the Board of Selectmen, The Open Space Committee, and the Town Administrator, and to provide that, if the Town votes at the 2005 Annual Election to replace the Land Bank, so called, with the Community Preservation Act, then this sum shall be transferred to the expenditure account of the Community Preservation Fund, or to take any other action relative thereto. Requested by the Board of Selectmen

Open Space Committee Recommendation: 4-0

Finance Committee Recommendation: 4-0

Board of Selectmen Recommendation: 5-0

Comment: **NOTE: If the Community Preservation Act passes at Town Election, this \$10,000 will be moved to the CPA Expenditure account.** This separate Budget is necessary to properly appropriate and expend Land Bank funds, and it should be separate from the Omnibus Budget because of its separate funding, expenditure and accounting mechanisms. If the funds are not used during the fiscal year, the funds will revert to the Land Bank fund.

#### **ARTICLE 12. TRANSFER OF FUNDS FROM THE CEMETERY SALE OF LOTS FUND TO THE FY2005 DPW SUPPLIES BUDGET**

To see if the Town will appropriate the sum of Four Thousand and Five Hundred Dollars and No Cents, (\$4,500.00) to the FY 2005 Department of Public Works Supplies budget, line item #01040054 for the purpose of reimbursing the DPW budget for the purchase of blue stone to be used as roadway material to the Pine Grove Cemetery, and further to fund said appropriation by a transfer from the Sale of Cemetery Lots Fund #24-925-3400, or take any action thereto.

Comment: When a Town Cemetery lot is sold, 50% of the proceeds go into a Sale of Cemetery Lots Fund, and 50% goes into a perpetual care of said lot as principal. The interest generated from this principal is used to maintain the cemeteries. The dirt road to the Pine Grove Cemetery is beyond resurfacing as a dirt road. After this transfer, the Sale of Lots Fund will have a balance of \$26,725.25, plus interest.

Requested by: Truro Cemetery Commission

Finance Committee Recommendation 4-0

Truro Cemetery Commission Recommendation 2 – 0

Board of Selectmen Recommendation: 5-0

**ARTICLE 13: AUTHORIZATION OF PAYMENT OF AN OUTSTANDING BILL FROM A PREVIOUS FISCAL YEAR.**

To see if the Town will vote to authorize the School Committee to expend One Thousand Dollars and No Cents (\$1,000) of its FY 2005 Operating Budget for the purpose of paying an outstanding bill from a previous fiscal year, or take any other action relative thereto.

Requested by Truro School Committee  
Finance Committee Recommendation: 4-0  
School Committee Recommendation: 4 – 0 (1 absent)  
Board of Selectmen Recommendation: 5-0

Comment: This bill is from FY 2004, and represents an insurance deductible amount payable to a local tradesman (electrician). The balance of the bill was paid from insurance proceeds, but, the bill for the deductible was received after the end of the fiscal Year.

**ARTICLE 14. TRANSFER OF FUNDS TO THE RESERVE FUND**

To see if the Town will vote to transfer the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) from Free Cash to FY2005 Reserve Fund – Intergovernmental Transfers, Account, Budget Line Item # 01013256 ,to reimburse the fund for immediate and unforeseen expenses incurred by various Town Departments, or take any other action relative thereto.

Requested by the Finance Committee  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: Customary Article. This transfer will reimburse the Reserve Fund for fund transfers authorized by the Finance Committee during the course of the Fiscal Year to fund immediate and unforeseen expenses incurred by various Departments that were not budgeted. This transfer is anticipated to keep sufficient funds in the account to meet similar expense requirements through the end of the Fiscal Year. Any funds remaining at the end of the Fiscal Year will revert to the General Fun

**ARTICLE 15. ESTABLISH AND FUND THE POSITION OF ADMINISTRATIVE ASSISTANT TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS.**

To see if the Town will vote to raise and appropriate the sum of Twenty Nine Thousand and One Hundred and Twenty two Dollars, (\$29,122) to establish and fund a new full time (35 hours per week) Office Assistant 1 to the Director of the Department of Public Works, and to authorize the Town Administrator to negotiate with the Truro Public Employees Local Union of the Laborers International Union of North America about a new provision in the recognition clause and to add this new position to the classification and compensation plan, commencing July 1, 2005, at the following pay scale:

Grade 7	Step1	Step 2	Step3	Step 4	Step 5	Step 6
Office Assistant 1 (hourly)	14.89	15.43	15.94	16.46	17.00	17.51
(Annual Salary)	\$27,204	\$28,191	\$29,122	\$30,072	\$31,059	\$31,991

Recommended by: Town Administrator  
Finance Committee Recommendation 4-0  
Board of Selectmen Recommendation 5-0

Comment: The DPW Director performs all administrative and supervisory functions of the DPW. An Administrative Assistant will be able to assume much of the payroll and bill paying functions allowing the Director to properly supervise activities and staff.

#### **ARTICLE 16. AUTHORIZATION TO CREATE A NEW PART TIME ADMINISTRATIVE ASSISTANT TO THE DEPUTY ASSESSOR**

To see if the Town will vote to raise and appropriate the sum of Twenty Nine Thousand and One Hundred and Twenty-Two Dollars (29,122.00) to establish and fund a new full time (35 hours a week) position of Administrative Assistant to the Deputy Assessor, effective July 1, 2005; and to authorize the Town Administrator to negotiate with the Truro Public Employees Local of the Labor's International Union of North America about a new position, and to add this position to the Classification and Compensation Plan, commencing July 1, 2005 at the following pay scale:

Grade 7	Step 1	Step 2	Step 3	Step 4	Step5	Step 6
Office Assistant 1(hourly)	14.89	15.43	15.94	116.46	17.00	17.51
(Annual Salary)	\$27,204	\$28,191	\$29,122	\$30,072	\$31,059	\$31,991

Recommended by: Board of Assessors  
Board of Assessors recommendation 3-0  
Finance Committee Recommendation 4-0  
Board of Selectman Recommendation: 5-0

Comment: forthcoming from the Board of Assessors on Town Meeting floor.

#### **ARTICLE 17. AUTHORIZATION TO CREATE A FULL TIME LIBRARIAN**

To see if the Town will vote to raise and appropriate \$32,287 to fund a new full time (35 hours per week) Adult Staff Librarian, within the Truro Public Library, and to add this position to the non-union Classification and Compensation Plan commencing on July 1, 2005 at the following pay scale:

Librarian 9A:	Step 1	Step2	Step3	Step 4	Step 5	Step 6
	\$29,120	\$30,703	\$32, 287	\$33870	\$35,472	\$37,055

Comment: The addition of a full time (35 hours/wk) position for a professional adult staff librarian is being requested this year. Use of the library has increased dramatically in recent years and with this increase, there has been a demand for an increased number of professional services. Coverage has become a significant issue and there are times when staff members work alone in the building. This situation has become critical as our volunteer



base ages; few volunteers have the computer skills required to effectively use our sophisticated circulation system and more are spending their winters in warmer climates. As a result we are no longer able to routinely supplement our staff with volunteer help. It is nearly impossible for library staff to attend professional meetings, and scheduled vacations and unscheduled absences result in coverage crises. There is presently one full time employee. The addition of a full time professional librarian would not only provide the much needed coverage to reduce our dependency on volunteer staffing but would also supplement the skill set of the staff, resulting in better services.

Recommended by: Board of Library Trustees  
Board of Library Trustees Recommendation: 5-0  
Board of Selectmen Recommendation: 5-0  
Finance Committee Recommendation: 4-0

#### **ARTICLE 18. AUTHORIZATION TO ADD BEACH ENFORCEMENT AGENT TO THE COMPENSATION AND CLASSIFICATION SCALE.**

To see if the Town will vote to add the position of Beach Enforcement Agent to the non-union Classification and Compensation Scale to provide a seasonal summer position (35 hours a week) for the enforcement of fire permit regulations and beach regulations.

Beach Enforcement Agent P7: flat rate of \$12.00 an hour

Requested by the Board of Selectmen  
Recommendation of the Board of Selectmen 5 – 0

Comment: Money for this position is included in the 2006 budget for the Beach Commission.

#### **ARTICLE 19. FY 2006 AFFORDABLE HOUSING TRUST FUND BUDGET APPROPRIATION**

To see if the Town will vote to transfer the sum of Thirteen Thousand and Five Hundred Dollars and No Cents, (\$13,500) from the Land Bank Account to the Affordable Housing Trust Fund, to appropriate this sum for appraisals, title searches, testing, surveys, demolition repairs, operating expense, pre-acquisition expenses and other affordable housing costs, and to authorize these expenditures under the Board of Selectmen, the Housing Authority, and the Town Administrator, or take any other action relative thereto.

Requested by the Board of Selectmen  
Truro Housing Authority Recommendation: 4-0  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: This separate Budget is necessary to properly appropriate and expend Land Bank funds transferred to the Affordable Housing Trust Fund, which was approved by Article 12 of the Annual Town Meeting of April 24, 2001; and approved by Special Legislation to the Great and General Court through Chapter 310 of the Acts of 2002

approved September 5, 2002; and approved by Town referendum conducted on May 13, 2003; and it should be separate from the Omnibus Budget because of its separate funding expenditure and accounting mechanisms.

## **ARTICLE 20. CPA COMMITTEE TO EXPEND FROM THE COMMUNITY PRESERVATION FUND**

To see if the Town will vote to allow the Community Preservation Committee to expend up to Ten Thousand Dollars and No Cents (\$10,000 ) to pay for administrative and operating costs prior to next Annual Town Meeting, contingent upon the approval of the Community Preservation Act by Truro voters and the Attorney General.

Requested by the Board of Selectmen  
Finance Committee Recommendation 4-0  
Board of Selectmen Recommendation 5-0

Comment: CPA appropriations must be appropriated at Annual Town Meeting. This amount will give the CPA Committee operating funds and to provide that, if the Town votes at the 2005 Annual Election to replace the Land Bank, so called, with the Community Preservation Act and if the Town votes to transfer \$10,000.00 under Article 7 hereof, then no additional appropriation shall be deemed authorized by a vote under this Article, or to take any other action relative thereto.

## **ARTICLE 21. AUTHORIZATION TO EXPEND FUNDS IN ANTICIPATION OF REIMBURSEMENT OF STATE HIGHWAY ASSISTANCE AID**

To see if the Town will vote to authorize the Town Treasurer, under the direction of the Board of Selectmen and under the authority of Massachusetts General Laws Chapter 44, Sections 6 and 6A, as amended, to borrow the sum of One Hundred and Five Thousand, Nine Hundred and Twenty One Dollars and No Cents (\$105,921.00); to appropriate this sum for work on roads located on the state Primary System as approved by the Massachusetts Highway Department; to authorize, under the direction of the Board of Selectmen and the Town Administrator, the expenditure of these funds in anticipation of state reimbursement; and to accept any and all state highway assistance funds authorized by the Legislature under the provisions of Chapter 40 and 291 of the Acts of 2004, and any other different or subsequent legislation and as approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program, or to take any other action thereto.

Requested by the Town Administrator  
Finance Committee Recommendation 4-0  
Board of Selectmen Recommendation: 5-0

Comment: Customary Article.

## **ARTICLE 22. MAINTENANCE OF TOWN CEMETERIES**

To see if the Town will vote to transfer the sum of Eight Thousand Dollars and No Cents (\$8,000.) for the purpose of maintenance of Town cemeteries, from the Sale of Cemetery

Lots Fund to the FY06 Town Cemeteries-Purchase of Services Account, Budget Line Item #01-491-5200, or take any other action relative thereto.

Requested by the Cemetery Commission  
Cemetery Commission Recommendation: 2-0  
Finance Committee Recommendation 4-0  
Board of Selectmen Recommendation: 5-0

Comment: These funds will be used to continue the maintenance of Town Cemeteries. When a Town cemetery lot is sold, 50% of the proceeds go into a Sale of Cemetery Lots Fund and 50% goes into a perpetual care of said lot as principal. However, due to the recent downturn in the rate of return on savings, the availability of sufficient interest funds is declining. There is not enough accrued or projected interest to maintain the Old North Cemetery for FY 2006 and beyond, with Snow Cemetery not far beyond. There are no capital projects in the foreseeable future that would require the expenditure of these funds. A similar Article for \$7500.00 was approved in the 2004 Annual Town Meeting for FY2005. The Sale of Lots Fund comprehending the above deduction and the additional sale of lots will have a projected balance of \$28,525 as of July 1, 2005.

## **ARTICLE 23. AUTHORIZATION TO FUND A GIS SYSTEM**

To see if the Town will vote to raise and appropriate Thirty Seven Thousand and Five Hundred Dollars and No Cents (\$37,500.00) for the purpose of establishing a GIS system for the Town of Truro, or to take any other action relative thereto.

Requested by the Water Resources Oversight Committee: 5-0  
Finance Committee Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: This will enable the Town to have its own GIS information and software for the use of the Town relevant committees. The GIS information we currently use is supplied by the county. It is both out of date and incomplete. Additionally, we must wait until the county can fit Truro into its schedule so that the information that would aid the committees in making their decisions is not readily available. By cost sharing with Provincetown, Truro will be able to acquire the system at only 54% of its true cost.

## **ARTICLE 24. AMENDMENT TO THE PERSONNEL BYLAW AMENDING NON-UNION PERSONNEL CLASSIFICATION AND COMPENSATION SCHEDULE, COST OF LIVING ALLOWANCE INCREASE FOR FISCAL YEAR 2006**

To see if the town will vote to amend the Personnel Bylaw, section 12.3, Classification and Compensation Schedule (Non-Union Personnel) by deleting the applicable personnel classification and compensation schedule, and inserting in its place the following schedule to be effective July 1, 2006 (please see Tables on following pages)

Said amendments having been incorporated in the FY2006 Omnibus Operating Budget in the COLA Undistributed-Reserved for Transfer Account, Budget Line Item #01015457, or take any other action thereto:

Requested by the Town Administrator  
Finance Committee Recommendation: 4-0  
Board of Selectman Recommendation: 5-0

Comment: Customary Article. The Board of Selectmen approved a 4% non union personnel cost-of-living allowance for FY2006, which was incorporated in the FY 2006 Omnibus Operating Budget. 4% parallels actual and anticipated Union increases for FY 2006. This article does not increase the operating budget, as presented in Article 4, and is solely to seek your approval of the FY 2006 Non-Union Classification and Compensation Plan, and to amend the Personnel Bylaw.

FROM FY05

	CLASSIFICATION & COMPENSATION SCHEDULE		NON-UNION & NON-CONTRACT			GENERAL GOVERNMENT		
Grade	Job Title		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	Beach Attendant	Hrly	\$9.04	\$9.35	\$9.69	\$10.00	\$10.33	\$10.66
	Election Teller	Hrly	\$9.04	flat rate				
2	Recreation Assistant Counselor	Hrly	\$10.03	\$10.35	\$10.66	\$10.97	\$11.31	\$11.65
3	Beach Sales Clerk	Hrly	\$10.39	\$10.75	\$11.27	\$11.69	\$12.12	\$12.60
	Recreation Counselor	Hrly	\$10.39	\$10.75	\$11.27	\$11.69	\$12.12	\$12.60
	Council on Aging Van Drivers	Hrly	\$10.39	\$10.75	\$11.27	\$11.69	\$12.12	\$12.60
4	Golf Assistant Greenskeeper(3 positions)	Hrly	\$10.57	\$11.32	\$12.06	\$12.88	\$13.80	\$14.76
	Golf Ranger/Starter (2 positions)	Hrly	\$10.57	\$11.32	\$12.06	\$12.88	\$13.80	\$14.76
	Golf Sales Clerk (3 positions)	Hrly	\$10.57	\$11.32	\$12.06	\$12.88	\$13.80	\$14.76
	Recreation Assistant Director/Summer Program Dir.	Hrly	\$10.57	\$11.32	\$12.06	\$12.88	\$13.80	\$14.76
5	Beach Assistant Supervisor	Hrly	\$11.63	\$12.38	\$13.14	\$13.89	\$14.65	\$15.45
	Beach Lifeguard	Hrly	\$11.63	\$12.38	\$13.14	\$13.89	\$14.65	\$15.45
	Golf Assistant Manager	Hrly	\$11.63	\$12.38	\$13.14	\$13.89	\$14.65	\$15.45
	Golf Greenskeeper	Hrly	\$11.63	\$12.38	\$13.14	\$13.89	\$14.65	\$15.45
	Library Assistant	Hrly	\$11.63	\$12.38	\$13.14	\$13.89	\$14.65	\$15.45
6	Beach Head Lifeguard	Hrly	\$11.96	\$12.71	\$13.46	\$14.22	\$14.98	\$15.77
7	Office Assistant 1 (former bds & com sec.)	Hrly	\$14.06	\$14.55	\$15.05	\$15.54	\$16.04	\$16.53
8	Assistant Harbormaster(3 pt positions)	Hrly	\$14.28	\$14.76	\$15.23	\$15.70	\$16.17	\$16.67
9	Beach Supervisor	Hrly	\$14.51	\$15.24	\$15.98	\$16.71	\$17.43	\$18.17
	Recreation Director	Hrly	\$14.51	\$15.24	\$15.98	\$16.71	\$17.43	\$18.17
10	Harbormaster	Hrly	\$16.29	\$17.13	\$17.96	\$18.80	\$19.63	\$20.44
11	Greens Superintendent (stm 10-04 --41 wks per year)	Ann'l.	\$32,616.00	\$34,426.00	\$36,236.00	\$38,044.00	\$39,851.00	\$41,697.00
11	Adminis. Secretary/Licensing Agent	Ann'l.	\$36,156.00	\$38,180.00	\$40,203.00	\$42,227.00	\$44,250.00	\$46,274.00
12	Library Director	Ann'l.	\$32,337.00	\$34,345.00	\$36,356.00	\$38,364.00	\$40,373.00	\$42,401.00
14A	Golf Course Manager (stm FY03 42 wks. [initially BOS appr. 9-25-02])	Ann'l	\$39,648.00	\$41,961.00	\$44,421.00	\$47,008.00	\$49,873.00	\$52,883.00
17	DPW Director	Ann'l.	\$52,464.00	\$55,216.00	\$57,973.00	\$60,728.00	\$63,481.00	\$66,261.00
17	Assistant Town Administrator (ATM 4/30/02)	Ann'l.	\$52,464.00	\$55,216.00	\$57,973.00	\$60,728.00	\$63,481.00	\$66,261.00
P1	Animal Inspector	Ann'l. flat rate	\$681.00	rounded out				
P2	Parking Magistrate	Ann'l.	\$3,765.00					
P3	Plumbing/Gas Inspector	Ann'l.	\$8,114.00					
P3A	Deputy Plumbing/Gas Inspector	Per Inspection	\$16.48/insp					
P4	Shellfish Warden	Ann'l.	\$6,458.00					
P5	Wiring Inspector	Ann'l.	\$8,114.00					
P5A	Deputy Wiring Inspector	Per Inspection	\$16.48/insp					
P6	Dog Officer	Ann'l.	\$8,659.00					
F5	FF/First Responder	Hrly	\$12.73					
F15	FF/EMT/Basic	Hrly	\$16.97					
F18	FF/EMT/Intermediate	Hrly	\$18.04					
F19	FF/EMT/Paramedic	Hrly	\$19.10					
F20	Squad Member	flat rate	Ann'l	\$1,030.00				
F1	Fire Chief	flat rate (fy05 rate)	Ann'l	\$30,000.00				

	CLASSIFICATION & COMPENSATION SCHEDULE		NON-UNION & NON-CONTRACT			GENERAL GOVERNMENT		
Grade	Job Title		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
1	Beach Attendant	Hrly	\$9.40	\$9.72	\$10.08	\$10.40	\$10.74	\$11.09
	Election Teller	Hrly	\$9.40					
2	Recreation Assistant Counselor	Hrly	\$10.43	\$10.76	\$11.09	\$11.41	\$11.76	\$12.12
3	Beach Sales Clerk	Hrly	\$10.81	\$11.18	\$11.72	\$12.16	\$12.60	\$13.10
	Recreation Counselor	Hrly	\$10.81	\$11.18	\$11.72	\$12.16	\$12.60	\$13.10
	Council on Aging Van Drivers	Hrly	\$10.81	\$11.18	\$11.72	\$12.16	\$12.60	\$13.10
4	Golf Assistant Greenskeeper(3 positions)	Hrly	\$10.99	\$11.77	\$12.54	\$13.40	\$14.35	\$15.35
	Golf Ranger/Starter (2 positions)	Hrly	\$10.99	\$11.77	\$12.54	\$13.40	\$14.35	\$15.35
	Golf Sales Clerk (3 positions)	Hrly	\$10.99	\$11.77	\$12.54	\$13.40	\$14.35	\$15.35
	Recreation Assistant Director/Summer Program Dir.	Hrly	\$10.99	\$11.77	\$12.54	\$13.40	\$14.35	\$15.35
5	Beach Assistant Supervisor	Hrly	\$12.10	\$12.88	\$13.67	\$14.45	\$15.24	\$16.07
	Beach Lifeguard	Hrly	\$12.10	\$12.88	\$13.67	\$14.45	\$15.24	\$16.07
	Golf Assistant Manager	Hrly	\$12.10	\$12.88	\$13.67	\$14.45	\$15.24	\$16.07
	Golf Greenskeeper	Hrly	\$12.10	\$12.88	\$13.67	\$14.45	\$15.24	\$16.07
	Library Assistant	Hrly	\$12.10	\$12.88	\$13.67	\$14.45	\$15.24	\$16.07
6	Beach Head Lifeguard	Hrly	\$12.44	\$13.22	\$14.00	\$14.79	\$15.58	\$16.40
7	Office Assistant 1 ( former bds & com sec.)	Hrly	\$14.62	\$15.13	\$15.65	\$16.16	\$16.68	\$17.19
8	Assistant Harbormaster(3 pt positions)	Hrly	\$14.85	\$15.35	\$15.84	\$16.33	\$16.82	\$17.34
9	Beach Supervisor	Hrly	\$15.09	\$15.85	\$16.62	\$17.38	\$18.13	\$18.90
	Recreation Director	Hrly	\$15.09	\$15.85	\$16.62	\$17.38	\$18.13	\$18.90
10	Harbormaster	Hrly	\$16.94	\$17.82	\$18.68	\$19.55	\$20.42	\$21.26
11	Greens Superintendent (stm 10-04 --41 wks per year)	Ann'l.	\$33,921.00	\$35,803.00	\$37,685.00	\$39,566.00	\$41,445.00	\$43,365.00
11	Adminis. Secretary/Licensing Agent	Ann'l.	\$37,602.00	\$39,707.00	\$41,811.00	\$43,916.00	\$46,020.00	\$48,125.00
12	Library Director	Ann'l.	\$33,630.00	\$35,719.00	\$37,810.00	\$39,899.00	\$41,988.00	\$44,097.00
14A	Golf Course Manager (stm FY03 42 wks. [initially BOS appr. 9-25-02])	Ann'l	\$41,234.00	\$43,639.00	\$46,198.00	\$48,888.00	\$51,868.00	\$54,998.00
17	DPW Director	Ann'l.	\$54,563.00	\$57,425.00	\$60,292.00	\$63,157.00	\$66,020.00	\$68,911.00
17	Assistant Town Administrator (ATM 4/30/02)	Ann'l.	\$54,563.00	\$57,425.00	\$60,292.00	\$63,157.00	\$66,020.00	\$68,911.00
P1	Animal Inspector	Ann'l. flat rate	\$708.00	rounded out				
P2	Parking Magistrate	Ann'l.	\$3,916.00					
P3	Plumbing/Gas Inspector	Ann'l.	\$8,439.00					
P3A	Deputy Plumbing/Gas Inspector	Per Inspection	\$17.14					
P4	Shellfish Warden	Ann'l.	\$6,716.00					
P5	Wiring Inspector	Ann'l.	\$8,439.00					
P5A	Deputy Wiring Inspector	Per Inspection	\$17.14					
P6	Dog Officer	Ann'l.	\$9,005.00					
F5								

## **ARTICLE 25. APPROVE LOCAL COMPREHENSIVE PLAN**

To see if the Town will vote to replace in its entirety the Local Comprehensive Plan 1990 - 1994 with the Local Comprehensive Plan 2005 - 2010, of which the Executive Summary and the First Chapter, "Vision" are found below. The entire 2005 – 2010 Local Comprehensive Plan is found on the official Town of Truro Website or can be obtained at Town Hall.

### **EXECUTIVE SUMMARY AND CHAPTER ONE: VISION:**

Truro's Local Comprehensive Plan asks questions of the future.

What are the forces driving change in our town? How do we want to respond to those forces?

Truro's greatest treasure is the rural character it has preserved. We remain connected to the natural landscape, thanks in large part to the presence of the Cape Cod

National Seashore (CCNS), and tied to the ocean, river, and bay. Commercial and residential properties most often honor traditional local building styles and natural landscaping. The pace of life is leisurely. The sense of community is strong. We treasure our diversity of ages, occupations, and incomes levels.

The pressures for change are relentless, however -- and likely to accelerate. How can we balance economic growth with the need to protect limited resources? How do we protect our connection to the land as we move towards buildout? How can we develop the affordable housing we will need to maintain the diversity of the community in the face of soaring land and housing prices?

This local comprehensive plan suggests a response to those questions. Developed over almost a year, representing the thought and work of scores of town citizens, employees, and officials, it builds upon two earlier efforts, the first developed between 1990 and 1994, the second between 2000 and 2002.

The plan looks in detail at eleven critical areas, identifying the town's assets, policies, challenges, and opportunities, and suggests an action agenda for future consideration:

- **Land Use.** Town policies codified into the zoning bylaws are Truro's most effective planning tool. This plan proposes investigation of (1) elimination of pyramidal zoning; (2) changes to zoning bylaws as to lot size, mixed use, and use of condominiums in the two villages; (3) creation of a special "tradesmen's park" district for expansion of home occupations which outgrow their original home

space, and (4) exploration of the need for a full-time planning director. The Plan also calls for the development of solid information as to the existing and projected ratios of open space to population density based on both summer and year-round populations outside the Seashore, and suggests that the Planning Board should address the subject of residential development lot coverage and the future of the Route 6 commercial zone.

- **Water Resources.** The critical issues involving the Outer Cape's limited water resources were brought dramatically into the public eye by the 2004 agreement between Truro and Provincetown over how to share the water pumped from the Pamet Lens. Water quality is excellent, although there have been recurrent periods of salt water intrusion at the Knowles Crossing well field. Future investment, largely funded by Provincetown, will probably be needed to develop a new well field and pipeline, most probably within or adjacent to the CCNS. Over the longer term the town will need to meet the regional supply challenge by working together with its neighbors to protect current resources and identify future sources of supply.
- **Coastal Resources.** Truro's coastal resources are much used and greatly appreciated. The towns more than twenty miles of ocean and bay coastlines and the Pamet harbor all provide highly valued opportunities for fishing, fowling, boating, beach walking, swimming, and bathing, bird watching, and nature appreciation. Providing continued easy access, and beach nourishment where necessary; limiting development and controlling water run off, and continued maintenance dredging of the harbor will help ensure that our beaches and harbor remain scenic, healthy and viable.
- **Wetlands and Wildlife.** The drainage area of the Pamet River, from the oceanic dunes to the east to the Cape Cod Bay in the west, is the ecological heart of Truro, holding most of the town's wetlands and its greatest concentration of biological diversity. These areas, like the town's dunes, beaches, and moors, face increasing pressure such as road run off as further development increases human impact. To protect the town's natural assets the Plan recommends the protection and preservation of the lower Pamet, the restoration of the upper Pamet to its former status as a salt marsh, and the development of a town wetland bylaw to supplement that presently provided by the state



- **Open Space Protection and Recreation.** Truro is rich in open space and recreation opportunities, thanks to an active conservation trust, the Truro Open Space Committee, and the CCNS. To keep as much open space as possible as development continues, the town should encourage incentives such as conservation restrictions, cluster development options, and residential site plan review in particularly sensitive ecological landscapes. The town also needs to develop and enforce coherent off-road vehicle policies and to expand the town's biking paths, particularly between Head of the Meadow and Coast Guard Beach.
- **Economic development.** Truro's economic health depends primarily on summer visitors and second home owners, along with a rapidly growing population of retirees. Employment is concentrated in government and construction. Commercial activity should be concentrated in the town's two villages. Large scale retail and commercial activities are inappropriate, and should be discouraged. Instead the town should support small business and home based enterprises, and consider providing low rent space in a "tradesman's park for those who outgrow their home space.
- **Transportation.** Most of Truro's transportation system functions well and should be adequate for the town's needs in the immediate future. Expanded shuttle services may be necessary as beach parking areas continue to erode, however. In addition the town needs to evaluate local routes for safe bicycle routes, and to create a widened and striped bike/pedestrian lane along Route 6A and Beach Point. With limited control over Route 6, and traffic pressures continuing to grow, town officials need to work with the other Outer Cape towns to identify regional concerns and present a coordinated set of recommendations.
- **Capital Facilities and Infrastructure.** Truro's capital facilities are in good condition. A majority of the municipal buildings have been restored or replaced over the past five years as part of a carefully crafted capital facilities plan, which includes maintenance and general upkeep, as well as replacement schedules. Future public investments will be limited by the town's resources; projects should be evaluated on the extent to which they reinforce the town's traditional character and village development patterns.
- **Affordable Housing.** With land and building prices soaring, the need for affordable housing to preserve the community's economic diversity has never

been clearer, or more widely supported. While the town is expected to add fourteen units to its affordable stock over the next two years, the Housing Authority should explore adding to that number through several options, including the registration and legalization of existing accessory apartments, the conversion to year round affordable units in cottage colonies, the development of multiple use zoning bylaws in the town's villages, and cooperative efforts with our regional neighbors and state agencies.

- **Cape Cod National Seashore.** Covering nearly 70% of the town, the CCNS may be Truro's most valuable non-human asset. Continued close coordination between Park and town officials will be critical to address such issues as appropriate zoning protections, the growing demand for beach parking, handicapped access to an ocean beach, the need to maximize the value of town concessions, and, most importantly, the productive integration of the Highlands Center into the general life of the community.
- **Heritage Preservation and Community Character.** Much of Truro's character comes from the blend of historic buildings and scenic landscapes. To preserve this shared heritage the Plan calls for (1) the establishment of historic districts, subject to the wishes of area residents; (2) the exploration of strategies to protect the town's scenic assets, including implementing tax incentives, designating particular vistas as areas of critical concern, or changing existing zoning; and (3) the implementation of policies that ensure that future development and redevelopment respect the traditions and character of our historic village center and outlying residential areas so as to protect what remains of the town's rural look and feel.

The challenge for Truro in the years ahead will be to retain the best of our traditional rural character and still accept change. There is no escaping the future. But we can shape it, if we work together towards that common goal.

## *Chapter 1*

# **A VISION FOR TRURO**

Truro was a very different place in 1990, when work began on the town's first Local Comprehensive Plan. But the issues that shaped the agenda fifteen years ago are the same that challenge us today.

Like us, townspeople then treasured Truro's rural character, its diversity and feeling of community, and the close connections to water, woods, and dunes. And like us, they worried if and how that character could be protected into the future.

How could they ensure that the natural environment stay more noticeable and predominant than the developed environments? What could be done about rising housing costs and soaring land values driving out long time and low and middle income residents? Could they continue to avoid suburbanization? Cope with the growing demands on limited natural resources? Ensure the opportunities that would help keep young people in town?

Since then, work on some version of the town's Local Comprehensive Plan has become an almost continuous process. Those same questions and concerns have remained at the forefront of the discussion, too, through every workshop and in two public surveys, thousands of hours of professional and volunteer effort, in every committee meeting and in every interview, from that first Plan, published in 1994, to an updated and unpublished draft, completed in 2003, to this, the second edition.

"Rural Character" begs precise definition. Truro no longer is an agricultural community, nor is it miles away from large population clusters. But its small year-round population, leisurely rhythms, and community spirit all keep it removed from the urban or suburban scene and, indeed, far removed from the scene in other Cape Cod communities. The rural qualities of the town's landscape, buildings, pace of life, citizenry and attitude toward self all combine to speak of an older place and earlier time.

The rural landscape is evident through the open view of the water and hillsides, the presence of highly wooded areas along all roads, the few remaining open fields and the wildness of the moors in the National Seashore. People love Truro for its open spaces and close connection and easy access to ocean and bay; for most these are far more important than the convenience of a nearby shopping mall. Many who live at the end of a long dirt road are enjoying an independence rarely found in modern society.

Rural buildings are connected with the natural environment, not separated from it. In Truro this means that lawns blend in with the surrounding pitch pine and dunes. Expansive lush green lawns are not a part of the natural environment in Truro. Buildings are kept low to the ground; they do not project high in the air. In a place of high winds and blowing sand,

this is time-honored tradition. Building color and design should allow the surrounding landscape to be enhanced rather than be muted or dominated.

A rural pace of life is evident in a certain amount of inefficiency in the road system and in the scale of town services. It may take a little longer to travel from one place to another because the roads are a little rough or there are no traffic lights to make intersections efficient. You have to drive somewhere else to buy groceries. Jobs are often seasonal or natural resource based, although the town itself remains the largest employer. All of these qualities define a rural pace of life.

The nature of the citizenry is an integral element of rural character. Truro enjoys a diverse population with an abundance of trades people and home occupations. Many retired persons subsist on marginal incomes, sharing the financial concerns of many single parent and low income families. Truro seeks to moderate the pressures toward gentrification, particularly what might be called the suburban mentality. We treasure our rich mix of ages, occupations, and income levels, and are actively working towards solutions to the escalating housing costs and land values that threaten that mix. Truro's rural attitude toward self is expressed in what Truro residents want their community to be today and in the future. It is expressed in what they expect from town government and in what they all acknowledge are the responsibilities of the individual. Truro does not provide government services typical in many suburbs; people coming to Truro must accept that they must do more for themselves than might be necessary in other more developed towns, from taking their own bottles, cans, and cardboard to the recycling center to speaking up at Town Meeting or offering to serve on one of the scores of committees, boards, associations that depend on citizen volunteers.

Regardless of all these rural characteristics, however, Truro is very much "of this world." Each summer our population multiplies ten times with visitors and the return of our non-resident taxpayers, all bringing new faces, new ideas, and new energy from "outside". The majority of our residents commute and travel extensively. The computer precludes any ideas of isolation and, in season, we are subjected to heavy traffic conditions beyond our control.

Truro has always been the smallest of Cape Cod towns, and it is likely to remain so. Through the town's history, distance from population centers, economic cycles, limited resources, and more recently the CCNS, have all contributed to keeping population low. But the town is not insulated from the growth pressures transforming much of the Outer Cape.

Though Truro will never become a major activity center for Cape Cod, we are certain to see continued growth in the years ahead.

How might continued growth -- seasonal and year round -- alter our rural character, for it is this rural character that defines us, maintains our tax base, and draws our tourists? If we lose that character, what change might we expect? Do we need to change our approach to growth management in order to protect that character? Or are we doing a good job now and will future growth make only minor change to our town?

Build-out under present zoning may be as little as a decade away. As new people move into town, a feeling for Truro's history becomes more rare. We are an evolving seasonal resort built upon a slowly increasing cadre of diverse year-rounders. Maintaining a sense of our past can anchor our future, but it must not impede change or innovation. We want to remain above all an open community that welcomes all walks of life.

We want to avoid the threats to Truro's rural pace of life and attitude toward self, too. Those threats are not always physical and often cannot be regulated; they lie at the intersection of community values and public policy over time. Should there be curbside garbage pickup? Probably not. Should people expect all roads to be paved? Definitely not. Should Truro encourage more efficient consolidated post offices? Probably not. While there are no firm and fast rules for protecting these qualities of rural life, the consideration of these qualities should nonetheless be incorporated into and legitimized in public discussion. The greatest threat to these rural qualities will be when their consideration is deemed impractical or old fashioned.

The challenge for the town is to retain the elusive "Rural Character" and to accept change at the same time -- or, better still, to shape that change towards a common vision of Truro's future. This Plan, like the two that preceded it, was written to address that challenge.

### Looking Forward

Public participation has been at the core of Truro's Comprehensive Planning Process over the last fifteen years. There have been two comprehensive surveys of townspeople's attitudes, the first in 1991 the second in 2001, along with hundreds of hours of workshops and meetings, interviews, conversations, and research, and four large scale public hearings/workshops.

The first LCP Committee completed its Plan in 1994, after four years of work. The second LCP Committee was launched in 2000; they produced an updated and revised draft

by 2003. That draft, in turn, became the foundation of this second edition Plan, which has been the responsibility of a third LCP Committee.

The Board of Selectmen appointed the current Local Comprehensive Plan Committee in May, 2004. Their charge was to update, edit, and rewrite the 2003 draft, present their Plan to the Selectmen, citizens of Truro, and the Cape Cod Commission, and then shepherd it through implementation.

Nine members were appointed to serve for a two year term. Four represented existing town boards: Lucy Brown, Board of Health, Ansel Chaplin, Planning Board, Fred Gaechter, Conservation Commission, and Arthur Hultin, Zoning Board of Appeals. The remaining five members -- Norm Edinberg, Curtis Hartman, John Lundborn, Janice Parky, and Susan Travers -- represented the public at large. Mr. Gaechter stepped down, as required, when he was elected to the Board of Selectmen; he serves instead as that board's liaison with the Committee.

. Development of the 2005 Local Comprehensive Plan was designed to build community collaboration. The goal was to engage townspeople as active participants at every step of the process, creating a document that would reflect the wide breadth of points of view and interests across the town.

Over their first eight months of work, the LCP Committee met individually or as a group with scores of town employees and town officials, board, commission, and department members, some several times. Townspeople were encouraged to attend the LCPC weekly meetings, with agendas and schedules posted in advance. In addition, the LCPC chair met at length with both the general membership of the Truro Neighborhood Association and the Non-Resident Taxpayer's association.

The committee wants to thank all those people for the assistance they have provided in this process, and to thank the men and women who worked on the 1994 Plan and the 2003 draft.

Once a working version of the 2005 Plan was completed, the Committee submitted the document to an extensive review process. In addition to two public hearings and a meeting with Town Administrator Pam Nolan to solicit comment from town employees, the Committee met in working sessions with the Board of Health, Charter and Bylaw Review Committee, Conservation Commission, Council on Aging, Financial Committee, Harbor Commission, Historical Commission, Housing Authority, Open Space Committee, Truro Neighborhood Association, and Zoning Board of Appeals. The Committee thanks all of

those organizations for their time and efforts. Their comments and concerns are reflected in this revised draft.

In addition several of the municipal agencies voted to express their formal support for the draft plan. The Harbor Commission endorsed the material on Coastal Resources, the Historical Commission endorsed the material on historical preservation, and the Open Space Committee endorsed the material on Open Space and Recreation. The Board of Health endorsed the entire document, unanimously, as did the Housing Authority (unanimously), and the Planning Board (unanimously). The Truro Neighborhood Association (with one abstention) also has endorsed the plan.

Completing a Local Comprehensive Plan serves several purposes: it produces a forum where all Truro residents can exchange ideas, clarifies for the town what we see as the most significant challenges to our collective future, and reaffirms the qualities of this community that make it special to all of us. At the same time it gives us a broad and balanced strategy custom-tailored to help us reach our shared objectives.

Implementing this Plan will not take large amounts of money. It will not require that we enlarge or complicate our town government. But it will require an ongoing commitment to its vision of the future and a willingness to work to make that vision real through continuing community collaboration. To that end, the Board of Selectmen charged the LCPC to oversee the implementation of this document, to the best of its ability, by working with those other Town Boards, Committees, Commissions, and Authorities charged with implementation responsibilities, per the Appendix \_at the end of this Plan. Thereby, the LCPC's work does not end with Town Meeting's approval of this document.

Requested by the Local Comprehensive Plan Committee

Board of Selectmen Recommendation: 5-0

Recommendation of Local Comprehensive Plan Committee: 8-0

Board of Health recommended the entire plan

Housing Authority recommended the entire plan

Planning Board recommended the entire plan

Open Space Committee recommended the Open Space and Recreation sections

Historical Commission Recommended the Historical Preservation section

Harbor Commission Recommended the coastal resources section

Comment: developed for over one year, Truro's 2005 – 2010 Local Comprehensive Plan systematically address the complex question of how to meet current and future human demands while retaining the community character which is at the heart of the Town. This document is available on the Town website and at Town Hall.

## **ARTICLE 26. AUTHORIZATION FOR GRANT OF EASEMENT TO COMMONWEALTH ELECTRIC COMPANY**

To see if the Town will vote to authorize the Board of Selectmen to grant Commonwealth Electric Company an easement which will provide a 10 foot wide permanent and perpetual right and easement to locate, relocate, erect, construct, reconstruct, install, lay, operate, maintain, patrol, inspect, replace, alter, change, the location of extent, or remove one or more lines for transmission and/or one or more lines for the transmission and/or distributions of intelligence by electricity or otherwise, all necessary and proper wires, cables, conduits, conductors, transformers, transformer enclosures, foundations, platforms, pedestals, terminals, insulators, fittings, switches, poles, cross arms, guys, braces, anchors, supports, manholes, hand holes, street lights standards, fixtures and other apparatus, equipment and fixtures deemed necessary for the purpose specified, as either or both of the Grantees may from time to time deem necessary for along upon under across and over that certain parcel of land situated in the Town of Truro, Truro, Massachusetts; for title see book 1367, Page 1123, recorded at the Barnstable County Registry of Deeds; and which is available for public inspection at the Office of the Town Clerk, and to specify the terms and condition as determined by the Board of Selectmen, to take place immediately in FY 2005 , or take any other action relative thereto.

Requested by the Board of Selectmen  
Board of Selectmen Recommendation: 5-0

Comments: The purpose of this easement is to allow Commonwealth Electric (a.k.a. NSTAR) the ability to install and maintain the power on 5 Dump Road necessary for the newly erected cell tower. The Board of Selectmen issued a Letter of Intent to grant this easement, pending Town Meeting approval on November 17, 2004 to permit the construction to move forward this article. Further, both have chosen to defer voting a recommendation until after the bids are accepted and a dollar figure is known.

## **ARTICLE 27. TRANSFER OF ADMINISTRATIVE CONTROL OF THE COBB MEMORIAL LIBRARY PROPERTY AND THE PILGRIM LIBRARY PROPERTY FORM THE TRURO BOARD OF LIBRARY TRUSTEES TO THE BOARD OF SELECTMEN.**

To see if the Town will vote to transfer to the Board of Selectmen, the care, control and management of the Cobb Library Building bearing the street address of 13 Truro Center Road, Truro, Massachusetts and shown on Truro Assessors Map 40 as parcel 149; and to transfer to the Board of Selectmen the care, custody, control and management of the Pilgrim Library Building bearing the street address of 36 Shore Road, North Truro, Massachusetts and shown on the Truro Assessors Map 36 as Parcel 130 ; from the Board of Library Trustees; to authorize the Board of Selectmen to use these properties for any lawful municipal purpose or to lease either or both properties to a properly solicited non-profit group or groups, said funds from any lease would be deposited to the general fund, or take any action relative thereto:

Requested by the Board of Selectmen  
Board of Library Trustees Recommendation: 5-0



Comment: The Board of Library Trustees have indicated that they have no further need for these buildings and would like to transfer the control of them to the Board of Selectmen. Massachusetts General Law places the care, custody, control and management of library facilities under the Board of Library Trustees. Town Meeting needs to transfer this control to the Selectmen.

## **ARTICLE 28. IMPLEMENTATION OF THE COMMUNITY PRESERVATION ACT.**

To see if the Town will vote to adopt the following as a general bylaw, the provisions of Massachusetts General Laws Chapter (hereafter G.L.c.)44B, Sections 2 and 5:

### **Section 1; Creation of the Community Preservation Committee**

#### **(a) Purpose**

There is hereby established a Community Preservation Committee (hereafter CPC) consisting of nine voting members pursuant to the Provisions of G.L. c.44B, sec. 5, including its definitions. The CPC shall study the needs, possibilities and resources of the Town regarding community preservation. The CPC shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation, preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section.

#### **(b) Membership of the CPC**

The composition of the CPC, the appointing authority and the term of office for the committee members shall be as follows: one member of the Conservation Commission, as designated by said Commission; one member of the Historical Commission, as designated by said Commission; one member of the Housing Authority, as designated by said Authority; one member of the Open Space Committee, as designated by said Committee; one member of the Planning Board, as designated by said Board; one member of the Recreation Commission, as designated by said Commission; and three members at large, to be appointed by the Board of Selectmen.

Each member of the Committee shall serve for a term of three years, or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. Vacancies on this Committee shall be filled by the corresponding appointing authority. Should any of the boards, commissions, or committees who have appointing authority under this by-law be no longer in existence for whatever reason, the Board of Selectmen shall appoint suitable person(s) to serve in their place(s).

#### **(c) Responsibilities**

The CPC shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Housing Authority, the Open Space Committee, the Planning Board, the Recreation Commission, and the Local Comprehensive Plan Committee or persons acting in those capacities or performing like duties, in conducting its studies. As part of its study, the CPC shall hold one annual public informational hearing, or

more at its discretion, on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town.

When necessary, the CPC will be responsible for interpreting the CPA (and related regulations), and for ensuring that it is properly and legally implemented in Truro. The CPC may consult with the Board of Selectmen in this regard.

## **Section 2; Administration**

(a) Proposals for consideration by the CPC may be submitted at any time, by any regularly-constituted town committee or any group of ten (10) or more citizens, but no later than November 1 of the calendar year, said proposals to be submitted in writing and signed by a quorum of the members.

(b) In every fiscal year, the CPC must recommend that the Annual Town Meeting either spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use); not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for community housing.

With respect to community housing, the CPC shall recommend, wherever possible, the reuse of existing buildings, or construction of new buildings, on previously developed sites.

The CPC may include in its recommendation(s) to the Annual Town Meeting a recommendation to set aside, for later spending, funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set aside, for later spending, funds for general purposes that are consistent with community preservation.

The CPC allocation recommendation to the Annual Town Meeting must account for 100% of all annual revenues and revenues previously set aside, and shall be in the form of an Article in the Warrant, for Town Meeting consideration.

(c) For those committees receiving community preservation funds, these funds shall only augment them, not replace existing operating funds. No single purpose shall dominate over a long period of time, i.e. not to exceed five years.

(d) Prior to the Annual Town Meeting and after receiving recommendation(s) from the CPC (by February 1), the Board of Selectmen and the Finance Committee shall each meet at a regularly-scheduled meeting to deliberate and vote on them, and shall provide their committee recommendation(s) within the CPC Article(s) in the Warrant.

## **Section 3**

**Requirement for a Quorum and Cost Estimates:** The CPC shall comply with the provisions of the Open Meeting Law, G.L. c. 39, sec. 23B and the Truro Town Charter. The Committee shall not meet or conduct business without the presence of a majority of the members of the CPC. The CPC shall approve its actions by majority vote of those present.

Recommendations to the Annual Town Meeting shall include the committee's anticipated administrative and operating costs, not to exceed five percent (5%) of the annual revenues in the Community Preservation Fund.

#### **Section 4**

Amendments: This by-law may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of G.L. c.44B.

#### **Section 5**

Severability: In case any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

#### **Section 6**

When Effective: Provided that the Community Preservation Act, MGL c. 44B, is accepted at the 2005 Annual Town election, this section shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of MGL. c. 40, sec. 32 have been met. Each appointing authority shall have thirty (30) days after the effective date to make its appointments.

Requested by the Community Preservation Act Bylaw Development Committee  
Community Preservation Act Bylaw Development Committee recommendation: 4-0  
Historical Commission 4-0  
Board of Selectmen Recommendation: 5-0

Comment: This bylaw establishes a Community Preservation Committee to carry out the duties and responsibilities required under the Community Preservation Act, adopted at Special Town Meeting, October 26, 2004, and set forth the process by which these responsibilities shall be accomplished. Final approval awaits the voter's decision at Town election, May 10, 2005 and approval of the Attorney General.

### **ARTICLE 29. REVISED PERSONNEL BYLAW**

To see if the town will vote to amend the Truro Personnel Bylaw by removing the text shown struck out, and by adding or substituting the text shown in boldface type, in the following sections:

#### **ARTICLE II.     Terminology**

Section 2.1     Definitions - in the bylaw, the following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings:

2.1.7           Regular Part-Time Employee - an employee in the service of the Town filling a year-round position requiring less than the regular scheduled hours of each work week, as defined in this bylaw, ~~whether working fewer hours per day or fewer hours per week.~~ And **who works 20 hours or more per week.**

- 6.2 Vacations for Regular Part-Time Employees – All regular part  
— Time employees (**as defined in 2.1.7**) of the Town are entitled to  
Annual vacations as above, but multiplied by the ratio of their  
Part-time employment hours to regular full-time employment  
Hours.

Maximum Vacation Accrual – Maximum vacation accrual will be calculated once per year on December 1<sup>st</sup>. The maximum number of vacation days allowed to be accrued will be effective January 1<sup>st</sup> of each year. After an employee exercises their option to be paid for up to ten (10) days of unused accrued vacation leave in accordance with section 6.3.6, and if the employee still exceeds the maximum accrual permitted, the employee will not earn any additional vacation time until they have used their excess unused accrued vacation leave, and have reached as accrued vacation leave balance below the maximum accrual amount allowed.

- 6.3.6 Ten (10) Days Vacation Buy Back – Employees with more than Six (6) years of permanent **full time** employment may be paid for up to ten (10) days of unused vacation leave at their regular daily rate of pay in effect for that year, under the following conditions:

## ARTICLE VII. Sick Leave, Injury, Death in Family

Section 7.1 Employees Entitled to Sick Leave - All regular full-time and regular part-time employees (**as defined in Section 2.1.7**) who have been employed by the Town continuously for six months may be allowed sick leave as a privilege but not as a right. However, sick leave used prior to an employee reaching six (6) months employment may be granted at the discretion of the Town Administrator. In the application of sick leave privileges, the following rules shall apply:

- 7.1.1 Sick Leave Credits - Regular full-time employees shall earn annual sick leave credits upon the basis of ~~one~~ **1.25** days for each full month of employment. Regular part-time employees (**as defined in Section 2.1.7**) shall earn sick leave credits as above multiplied by the ratio of their part-time employment hours to regular full-time employment hours. (4/01)

~~11.2.7 Longevity - Based on their employee anniversary date of employment, all regular full time and regular part time employees shall be entitled, after the first full six years of continuous service to the Town, to a longevity bonus of two hundred dollars, and then an additional fifty dollars for each year afterward. This bonus shall be paid on the first pay period of December of each year. Based~~

on their employee anniversary date of employment, all regular full-time and regular part-time employees shall be entitled, after the first full ~~six years~~ *72 months* of continuous service to the Town, to a longevity bonus of two hundred dollars (\$200.00), and then an additional seventy-five (\$75.00) dollars for each year of service afterward. Upon completion of an employee's twentieth (20th) year of service, said bonus shall increase to one hundred (\$100.00) dollars for each of year of service over twenty (20). Upon completion of an employee's twenty-fifth (25th) year of service, said bonus shall increase to one hundred fifty (\$150.00) dollars for each of year of service over twenty-five (25). This bonus shall be paid on the first pay period of December of each year. (4/92)

Section 11.7 Insurance Benefits - The Board of Selectmen shall make available group health and life insurance coverage to employees of the Town as provided below:

11.7.1 Eligible Employees - The following employees are eligible to obtain coverage under the Town's group health and life insurance policies: (a) regular full- time employees, (b) regular part-time employees who are expected to provide compensated services to the Town for at least twenty (20) *regularly-scheduled* hours per week, and (c) retired employees who have been accepted as retirees under the Barnstable County Retirement Association or the Massachusetts Teachers Retirement Board. Temporary seasonal employees are not eligible.

Recommended by the Bylaws and Charter Review Committee  
Bylaws and Charter Review Committee recommendation 7-0  
Board of Selectmen Recommendation 5-0

Comment: The Personnel Bylaws serve to establish for the Town of Truro a merit personnel program and personnel policies that are consistent and fair for both covered Town employees and residents. These bylaws were revised last year. The changes presented before you now are to clarify definitions throughout the document as recommended by staff.

## **ARTICLE 30.REVISED GENERAL BYLAWS**

To see if the Town will vote to amend the Truro General Bylaws by deleting the Town of Truro Bylaws in their entirety and substituting the following therefore in its entirety:

# **TOWN OF TRURO**

## **GENERAL BYLAWS**

## **CHAPTER I TOWN AFFAIRS 47**

Section	1	GENERAL	47
Section	2	ACCESSES TO TOWN ROAD	48
Section	3	CONVEYANCES OF TOWN PROPERTY	48
Section	4	LEGAL AFFAIRS	49
Section	5	NAMING OF PUBLIC AND PRIVATE WAYS	49
Section	6	NUMBERING OF STREETS	49
Section	7	PROVINCETOWN WATER SYSTEM CONSERVATION	51
Section	8	SOIL REMOVAL	52
Section	9	<del>TOWN PRIVATE AND PUBLIC WAYS, PLACES</del> <del>PUBLIC PLACES AND PUBLIC WAYS</del>	52

## **CHAPTER II LICENSING AND PERMITS 55**

Section	1	RENTING OR LEASING BUILDINGS	55
Section	2.	YARD SALES	56
Section	3.	LICENSES AND PERMITS	57

## **CHAPTER III PUBLIC HEALTH 58**

Section	1	ALCOHOLIC BEVERAGES	58
Section	2	NOISE	58
Section	3	WIMMING POOLS	59
Section	4	TENTING OR/AND OUTDOOR CAMPING	59
Section	5	TOBACCO CONTROL	59

## **CHAPTER IV PUBLIC SAFETY 60**

Section	1	AIRCRAFT CONTROL	60
Section	2	AUTOMATIC ALARMS	61
Section	3	DOGS	63
Section	4	HANDICAPPED PARKING (HP)	63
Section	5.	MOTOR VEHICLES	65
Section	6	OBSTRUCTION OF CERTAIN TOWN OFFICERS	66
Section	7	OUTDOOR LIGHTING	66
Section	8	PERSONAL WATERCRAFT (PWCs)	70

## **CHAPTER V                      DOMESTIC PARTNERSHIP                      71**

<i>Section</i>	<i>1</i>	<i>RECOGNITION AND SCOPE</i>	<i>71</i>
<i>Section</i>	<i>2</i>	<i>DEFINITIONS</i>	<i>71</i>
<i>Section</i>	<i>3</i>	<i>REGISTRATION, AMENDMENT, TERMINATION AND EFFECT OF TERMINATION.</i>	<i>72</i>
<i>Section</i>	<i>4</i>	<i>TOWN CLERK FEES AND RECORDS.</i>	<i>73</i>
<i>Section</i>	<i>5</i>	<i>RIGHTS OF DOMESTIC PARTNERS.</i>	<i>73</i>
<i>Section</i>	<i>6</i>	<i>DISCRIMINATION PROHIBITED.</i>	<i>74</i>
<i>Section</i>	<i>7</i>	<i>EFFECT ON OTHER TOWN BYLAWS.</i>	<i>74</i>

## **CHAPTER VI PRESERVING HISTORIC PROPERTIES                      74**

<i>Section</i>	<i>1</i>	<i>PURPOSE</i>	<i>74</i>
<i>Section</i>	<i>2</i>	<i>DEFINITIONS</i>	<i>74</i>
<i>Section</i>	<i>3</i>	<i>HISTORICAL REVUE BOARD COMPOSITION AND APPOINTMENTS</i>	<i>75</i>
<i>Section</i>	<i>4</i>	<i>HISTORICAL REVUE BOARD POWERS AND DUTIES</i>	<i>75</i>
<i>Section</i>	<i>5</i>	<i>PROCEDURES FOR REVIEW OF APPLICATIONS</i>	<i>76</i>
<i>Section</i>	<i>6</i>	<i>EMERGENCY DEMOLITION</i>	<i>77</i>
<i>Section</i>	<i>7</i>	<i>ENFORCEMENT</i>	<i>77</i>
<i>Section</i>	<i>8</i>	<i>NON-COMPLIANCE</i>	<i>77</i>

## **APPENDIX A                      77**

## **CHAPTER I                      TOWN AFFAIRS**

### **Section        1                      GENERAL**

- 1-1-1 **Severability.** ~~These this~~ **General** Bylaws and their various parts, sections, sentences, and clauses thereof, are hereby declared to be severable. If any part, section, sentence, or clause is adjudged invalid, it is hereby provided that the remainder of this Bylaw shall not be affected thereby.
- 1-1-2 **Effective Date.** ~~These this~~ **General** Bylaws shall be published as soon as possible in a newspaper having circulation in the Town, and shall be immediately posted in the Town Hall and at the ~~Dump~~ **Transfer Station**. It will become effective as soon as the process described in Massachusetts General Laws, Chapter 40, Section 32, has been completed. Any and all new contracts signed by the Town after its effective date or renewals of existing contracts shall be consistent with the provisions of this Bylaw.
- 1-1-3 **Repeal of Conflicting bylaws.** All Bylaws or parts of Bylaws, ordinances, resolutions, regulations, or other documents inconsistent with the provisions of these General Bylaws are hereby repealed to the extent of such inconsistency. (4/94)
- 1-1-4 Fines for violation of bylaw.** *The violator of any of these bylaws, and other state*

*and local regulations, shall be subject, for each offense, to the penalty specified in Appendix A to these bylaws, but not exceeding the maximum penalty authorized by G.L. ch. 40, § 21, as amended. Said fines may be enforced through either a criminal complaint or non-criminal disposition in accordance with G.L. ch. 40, § 21D. In either case, each day on which any violation exists shall be deemed to be a separate offense.*

**1-1-5 Criminal complaint.** *Whoever violates any provision of these bylaws may be penalized by indictment or on complaint brought in the District Court. Except as may be otherwise provided by law and as the District Court may see fit to impose, the maximum penalty for each violation, or offense shall not exceed the maximum penalty specified in G.L. c.40, '21, as amended.*

**1-1-6 Alternative Method of Enforcement/Non-criminal Dispositions.** *Whoever violates any provisions of these bylaws, the violation of which is subject to a specific penalty, may at the discretion of the town employee who is the appropriate enforcing authority, be penalized by a non-criminal disposition as provided in G.L. ch. 40, § 21D. The non-criminal method of disposition may also be used for violations of any rule or regulation of the Town of Truro's boards, commissions, committees and officers which is subject to a specific penalty.*

## **Section 2 ACCESSES TO TOWN ROAD**

**1-2-1** ~~After April 1, 1967,~~ Any person wishing to construct a private road *or driveway* having an access to a town road must obtain a permit from the Department of Public Works and obtain approval from the all required town boards and committees.  
Board of Selectmen.

(2/67)

## **Section 3 CONVEYANCES OF TOWN PROPERTY**

**1-3-1** The Town Clerk shall have the custody of the town seal. (2/36)

**1-3-2** All conveyances ~~under seal,~~ which may hereafter be executed by the town, pursuant to a vote of the town ~~or otherwise,~~ shall be sealed with such seal and subscribed by a majority of the Board of Selectmen, ~~for the time being.~~ (2/36)

~~The Town Clerk shall keep a true copy (in a book kept for such purposes alone) of all deeds or other instruments executed by the selectmen in accordance with the provisions of this Bylaw.~~

**1-3-3** It shall be the duty of the Town Clerk to see that every conveyance to the town of any interest in land is properly recorded in the registry of deeds. (2/36)



## **Section 4 LEGAL AFFAIRS**

- 1-4-1 Except as otherwise provided by law or by vote of the town, the Board of Selectmen shall have the full and exclusive authority as agents of the town to institute, prosecute, defend, compromise, and settle all claims, suits and actions brought by or against the town, provided, however, that no claim or action against the town, unless reduced to the form of an execution or decree of court, shall be compromised or settled by the payment of any amount in excess of ~~two thousand, five hundred dollars (\$2,500.00)~~ *twenty-five thousand dollars (\$25,000.00)*, without a special vote of the town. (2/36, 4/94)

## **Section 5 NAMING OF PUBLIC AND PRIVATE WAYS**

- 1-5-1 For purposes of identification and public safety, public and private ways shall be named. In the event a way is not presently named, the Planning Board shall assign a name. Town Meetings shall have the authority to change or alter the names of public and private ways. (1/93, 6/98)

## **Section 6 NUMBERING OF STREETS**

- 1-6-1. Policy Requirement.** Every building used for residential, commercial, industrial and/or any other purpose situated in whole or part in the Town of Truro shall have affixed thereto or otherwise posted on the premises, in a location approved by the ~~Selectmen~~ **Building Commissioner**, the street number which has been assigned to said building. Street numbering shall conform to standards set forth in this chapter.

- 1-6-2. Assignment of Numbers.** Street numbers shall be assigned from time to time by the ~~Selectmen~~ **Truro Police Department**, who shall, as soon after the assignment as practical, cause notice of the number assigned to be mailed to the party or any one (1) of the parties listed as an owner of the premises on the tax records or the Town as of January 1 of the year in which the number was assigned or notice mailed, whichever occurs later. Such notice may, at the option of the ~~Selectmen~~ **Truro Police Department** be given in person or by postal service mail.

The ~~Selectmen's office~~ **Town Clerks Office** shall have assigned house numbers on file for owners' information.

For all new roads, the developer or owner of record must submit an application and requested information on an approved form available at the ~~Selectmen's office~~ **Town Clerks Office**.

### **1-6-3. Size, Color and Material of Numbers**

- 1-6-3-1 The size of numbers shall not be less than three (3) inches nor more than

twelve (12) inches in height.

- 1-6-3-2 The color of said numbers shall contrast with the color of the building, mailbox or other background materials.
- 1-6-3-3 Numbers shall be blocked face. Roman Numerals, Script or Longhand shall not be used.
- 1-6-3-4 Numbers shall be visible from both directions from the main road and may be of reflective material.
- 1-6-3-5 The ~~Selectmen~~ **Truro Department of Public Works** shall keep on file a list of accepted materials, which may be updated from time to time.

#### **1-6-4. Location Requirements**

- 1-6-4-1 Buildings with a door(s) visible from the nearest named street, road or way, as provided for in subsection ***1-6-3-1*** above, shall have street numbers affixed to them so as to be visible from the driveway or access-way which services said building(s).
- 1-6-4-2 Buildings which are not visible from the nearest named street, road, or way, as provided for in subsection A above, shall have street numbers affixed to them so as to be visible from the driveway or access-way which services said building(s).
- 1-6-4-3 The owners of said buildings shall also cause street numbers to be placed on the mailbox, wooden sign or other suitable device at the entrance to the driveway or access-way servicing such building so as to be visible from the nearest named street, road or way.
- 1-6-4-4 Condominiums, Apartments and other group uses.
  - A. Condominiums, apartment houses, hotels, motels, boarding or lodging houses, dormitories, inns, nursing homes or similar entities shall have their street numbers posted on a sign located in front of the property, visible from the nearest named street, road or way and on the aforementioned structures if deemed appropriate by the ~~Selectmen~~ **Truro Police Department**.
  - B. Unit numbers shall be assigned by the owner or developer in accordance with regulations.
  - C. All units shall be clearly identified by letter or number.
  - D. Shopping centers, malls, plazas, business complexes or similar entities shall have street numbers and unit numbers posted on each unit/business entity not otherwise required by this chapter. There shall be a sign posted at the entrance to the complex/business, visible from

the nearest named street, road or way.

#### **1-6-5. Compliance Required, Violations and Penalties**

*1-6-5-1 Every owner of a building shall be required to post, in accordance with the provisions of this section, the street number or unit number, as the case may be, assigned to such building(s) within thirty days (30) after receiving such notice of such assignment(s), in accordance with the provisions of this section. Any owner who fails to post the street number or unit number as required, to keep such number posted, or to maintain such number in a legible condition shall be subject to a penalty as described in Appendix A of this document. Each day such number is not so posted, kept posted or maintained in a legible condition shall constitute a separate offense.*

*1-6-5-2 Any person who unlawfully removes, defaces or conceals said street or unit numbers posted under this section shall be subject to a penalty as described in Appendix A of this document.*

~~1-6-5-3 Violations shall be enforced by the Selectmen and/or their designee.~~ (4/93)

### **Section 7 PROVINCETOWN WATER SYSTEM CONSERVATION**

**1-7-1. Non-Essential Use:** From May 1st through October 31st of each year, no person or persons served by the Provincetown Water System shall use municipal water for the purpose of (a) lawn sprinklers, sprinkler hose or unattended watering of any kind, (b) washing of automobiles, buildings, windows, sidewalks, etc., or ( c ) as a coolant in a central air conditioning system.

**1-7-2. Prohibited Uses:** No person or persons may use water from the Provincetown Water System to (a) fill or cure any swimming pool without express permission in writing from the Provincetown Water and Sewer Board, or (b) attach any over or underground sprinkler system to the municipal water system supplying their property.

**1-7-3. Use of Municipal Fire Hydrants:** Fire hydrants attached to the municipal water system may be used for municipal purposes only. Hydrants shall be operated by an agent of the Provincetown Water Department or an officially appointed fire person of the Town.

**1-7-4. Penalty and Enforcement:** Violations of this Bylaw shall, for each offense, not exceed the maximum penalty as specified by Massachusetts General Laws, Chapter 40, Section 21, as amended, or the Provincetown Water Department Rules and Regulations as amended. This Bylaw shall be enforced by the Truro Police Department which may be assisted by the Provincetown Water Department.

**1-7-5** *By attaching to the Provincetown Water System, Truro residents are agreeing to subject themselves to the Provincetown Water Department Rules and Regulations,*

*as amended from time to time by the Provincetown Water Department, and as enforced by the Truro Police Department as assisted by the Provincetown Water Department.”* (4/99)

## **Section 8 SOIL REMOVAL**

- 1-8-1 The removal of topsoil, loam, sand, gravel, clay, hardening, subsoil, and earth from any parcel of land not in public use in the Town of Truro except as hereinafter provided, shall be allowed only after a written permit therefore is obtained from the ~~Board of Selectmen~~ **Building Commission**.. ~~after a public hearing, if deemed necessary, of which due notice is given.~~ (2/58, 2/59)
- 1-8-2 Issuing a permit under this Bylaw, the ~~Board of Selectmen~~ **Building Commissioner** may impose such conditions as it may deem necessary for adequate protection of the neighborhood and the town. Any condition imposed by the Town shall be attached to and made part of the permit. The Town may, in addition, require a bond, certified check or other security in compliance with said conditions, or as evidence of good faith to the completion of any proposed construction. The Town may further impose reasonable conditions as to the methods of removal, the re-establishment of ground levels and grades, and the planting of the area as to suitable cover. The Town may, after a public hearing on proof of violation of any condition revoke any permits so issued. No permit shall be issued under the provisions of this Bylaw for a period of more than three years. (2/58)
- 1-8-3 Notwithstanding the provisions of the above, the ~~board~~ **Building Commissioner** shall issue a permit for the removal of topsoil, loam, sand, gravel, clay, hardening, subsoil, and earth from any parcel in the town where such removal is necessarily incidental to and in connection with the construction of a road or other facility involving a permanent change in the use of the land. The **Building Commissioner** shall issue no permits unless *they are* ~~it is~~ reasonably satisfied that the construction will be completed. ~~and evidence thereof shall be made part of the record of the board.~~ (2/58, 2/59)
- 1-8-4 Removal of topsoil, loam, sand, gravel, clay, hardening, subsoil, and earth *not exceeding* ~~of~~ 5 cubic yards in any calendar year shall be exempt from this Bylaw. (2/58, 2/59)
- 1-8-5 The penalty for any violation of this section shall be in accordance with G.L. ch. 40, § 21, cl. 17, as provided in Appendix A of this document.

## **Section 9 TOWN PRIVATE AND PUBLIC WAYS, PLACES** **PUBLIC PLACES AND PUBLIC WAYS**

- 1-9-1 No person except the officers of the ~~Town~~ **Department of Public Works**, or its authorized agent(s) in the lawful performance of their duties shall obstruct, break, dig up, or excavate any public sidewalk, highway, town way, or street or any part thereof, or break or dig the ground of the same, without first obtaining a written permit from

the Selectmen ~~Town~~. Every person receiving such permit shall execute a written agreement *or bond* to indemnify and save harmless the town against all loss, damage or cost suffered or claimed on account of the existence of such obstruction or excavation, and shall leave the street or way at the completion of the work in as good condition as the same was before the work was commenced. *Any person receiving such a permit to excavate shall have the entire excavated area, including on-site stored materials, properly marked and lighted from sunset to sunrise in order to prevent public injury. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36)

- 1-9-2 No person shall throw, place or cause to be thrown or placed upon any street, roadside or sidewalk, or on the shore or on any private way, without the consent of the owners, any dirt, ashes, stones, hoops, boards or other wood with nails, projecting there from, shavings, sawdust, manure, nails, spikes, screws, glass, tin cans, filth, rubbish, or any noxious or refuse liquid or solid matter or substance. *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36)

- ~~1-9-3 Section 3.~~—No person shall enter any public building in this town clad in a bathing costume, unless some garment is worn over such costume adequately covering the person of the wearer thereof.

- 1-9-4 *Unless, for particular buildings, the law should vest such power in a different board or unless Town Meeting should direct otherwise, the Board of Selectmen shall fix the fees to be paid for the private use of any public building, the rooms therein, or any public land and shall make policies for the use thereof.*

The Board of Selectmen may *direct the Chief of Police to* assign one or more police officers to be present in or about the building or on the land site whenever in their judgment the preservation of peace and good order may require it; the cost thereof shall be paid by the organization or persons using the public building or land. (6/98)  
(2/36)

- 1-9-5 No person shall drive a motor vehicle upon the public beaches of this Town without a permit from the Selectmen ~~Town~~. *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36)
- 1-9-6. No person shall, with offensive and disorderly acts or language, accost or annoy any persons, shall engage in lewd, wanton, or lascivious behavior, shall be idle and disorderly persons, or shall be disturbers of the peace. *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36, 6/98)
- 1-9-7 No person shall permit any vehicle under his care or control, to stand across any public highway or street, in such a manner as to obstruct the travel over the same, for an unnecessary length of time; no person shall stop with a vehicle in any public street so near to another vehicle as to obstruct public travel; and no person shall stop with any vehicle upon any crossing in any street or highway in the town. *Whoever violates*

*the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36)

1-9-8 No person shall occupy any part of the public street as *permanent* storage room for any vehicles. *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/36)

**1-9-9** No person not in the employ of the town shall set fire to any bushes, leaves, grass or other combustible substance in any of the streets of the town; nor nearer than 100 feet to any fence or building not owned or occupied by himself, without the consent of the occupant. (2/36)

**1-9-10** No person shall discharge any gun, pistol or other firearm within any street, public way, place or square in this town, except with the permission of the police department; provided, however, that this section shall not apply to any firing in accordance with law. (2/36)

**1-9-11** Any company desiring to construct a transmission line upon, along, under, or across a public way shall in writing petition the Town for permission to erect or construct upon, along, under, or across a public way any necessary wires, poles, piers, abutments, or conduits, and in order to repay to the town its costs for advertising and hearing the petition, the company shall first pay the current fee. (11/87)

~~————— Certain sections of roadways and driveways may require custom standards *for public safety*. These sections include, but are not limited to: intersections, sharp corners, turn a rounds, and areas near water sources. Standards for these areas will be identified by the Fire Chief, *Police Chief and the DPW Director* or their designees on a case by case basis. (4/01) (Moved to 4-9-2)~~

**1-9-12 Building Materials and Rubbish Section 9.** Any person who intends to erect, repair or take down any building on land abutting on any way which this town is obliged to keep in repair, and desires to make use of any portion of said way for the purpose of placing thereon building materials or rubbish, shall give notice thereof to the *Building Commissioner* ~~Selectmen Town~~. Thereupon, the *Building Commissioner* may grant a permit to occupy such a portion of said way to be used for such purposes as in their judgment the necessity of the case demands and the security of the public allows-such permit in no case to be in force longer than ninety days, and to be on such conditions as the *Building Commissioner* ~~Selectmen Town~~ may require; and especially in every case, upon condition that during the whole of every night, from sunset in the evening until sunrise in the morning, lighting shall be placed so effectually to secure all travelers from liability to come in contact with such building material or rubbish. (2/36)

~~**Firearms Safety Section 11.** No person shall discharge any gun, pistol or other firearm within any street, public way, place or square in this town, except with the permission of the police department; provided, however, that this section shall not apply to any firing in accordance with law.~~ (2/36)

**1-9-13 Section 13. Public Safety Clearing Guidelines.** Certain sections of roadways and driveways may require custom standards *for public safety*. These sections include, but are not limited to: intersections, sharp corners, turn-a-rounds, and areas near water sources. Standards for these areas will be identified by the Fire Chief, ***Police Chief and the DPW Director*** or their designees on a case by case basis. To allow for the safe passage of fire/safety equipment, guidelines for clearing vegetation along fire roads, dirt roads, private ways (collectively hereinafter called “roadways”) and driveways in excess of fifty (50) feet in length shall be as follows:

**1-9-13-1** Roadways and driveways shall not be less than eight (8) feet wide.

**1-9-13-2** Brush, shrubs, trees, branches, woody vegetation and other obstructions will be removed from the rectangular area bordered by the imaginary lines no less than three (3) feet horizontally from both sides of the roadway or driveway and no less than fourteen (14) feet vertically from the road level.

**1-9-13-3** Certain sections of roadways and driveways may require custom standards. These sections include, but are not limited to: intersections, sharp corners, turn-a-rounds, and areas near water sources. Standards for these areas will be identified by the Fire Chief or his designee on a case by case basis. (4/01)

## **CHAPTER II LICENSING AND PERMITS**

### **Section 1 RENTING OR LEASING BUILDINGS**

2-1-1 Unless a building is otherwise licensed, ~~no building shall be~~ ***it may not*** be leased or rented residentially for any period of one hundred twenty (120) or fewer days until the building or appropriate portion of it has been registered with the Licensing Agent. (Separate rental or lease periods ~~totaling more than~~ ***totaling more than*** one hundred twenty (120) days in any calendar year ~~will not excuse compliance with this Bylaw if any single rental or lease period is one hundred twenty or fewer days in length.~~) *The rental or lease of summer homes is the principal, but not exclusive, subject of this Bylaw. do not affect this requirement.*

2-1-2 ***The Town's Licensing Agent shall determine the number of persons that the premises can legally accommodate and shall issue a certificate of registration of the premises. The Licensing Agent will follow the Board of Health regulations and the Board of Health's bedroom count in such determination. The certificate shall be posted conspicuously on the registered premises and reflect this number.***

2-1-3 ***Every property owner who offers registered living accommodations for rent shall have available, when absent, an agent authorized to act in case of an emergency that endangers the property or the welfare of any person on the premises. Failure to provide the services of a competent person to act in an emergency shall be deemed sufficient cause, upon an Order of Violation from the Licensing Agent for a fine and/or for the revocation or suspension of the certificate of registration, as described in Appendix A of this document.***

- 2-1-4 Any building or portion thereof which must be registered in accordance with this Bylaw must be so registered each year, and a fee may be charged for this registration. This fee shall be fixed annually by the Board of Selectmen, and the amount of this fee shall bear a reasonable relationship to both the cost of administering the rental registration program and the benefits conferred upon the property owners and the tenants.
- 2-1-5 The tenant occupying a portion or all of a building registered in accordance with the provisions of this Bylaw shall be eligible to park at all Town beach parking lots, including those available only to holders of a resident's beach sticker, and shall be eligible for a beach parking sticker at a non-resident's rate. Regardless of the length of their occupancy, such tenants shall become eligible for off-road vehicle (ORV) permits at non-resident rates, and they shall also become eligible for transfer-station stickers at non-resident rates.
- 2-1-6 The funds generated by the rental registration fees shall be available generally to defray the costs of registration record keeping, the administration of the beach program, the maintenance and improvement of Town beaches and parking lots, the installation of signs, the furnishing of sanitary facilities, the provision of facilities for the physically handicapped, and the supply and operation of associated amenities.
- 2-1-7 Failure to comply with *any section of this* Bylaw shall subject the owner to a fine for *each offense as described in Appendix A and loss of rental certificate.*

## **Section 2. YARD SALES**

- 2-2-1 *Any person or organization may conduct a yard sale by first obtaining a permit from the Licensing Agent for a fee to be determined by the Board of Selectmen. Not more than four such permits may be granted for any particular location per calendar year. Each yard sale may extend occur for not more than two consecutive calendar days. Each permit must be posted conspicuously on the premises during the sale. The permit holder shall be responsible for the parking of motor vehicles so as not to hinder the free flow of traffic. Any signs advertising the sale must be removed by the end of the sale. At the yard sale, the offering for sale of used articles by others may take place with the concurrence of the owner of the property on which the sale takes place.*

*For the purpose of this Bylaw, "yard sale" is defined as the offering for sale of property originally acquired for personal use and not for the purpose of resale.*

~~Violation of this Bylaw shall be punishable by a fine of \$50 for each offense.~~  
*Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document. Each day a violation exists shall be deemed a separate offense.*

~~It shall be unlawful for any person or organization to conduct a yard sale without first obtaining a permit from the Board of Selectmen. Such permit shall be issued for not more than two events per calendar year, and each permit is good for not more than~~



~~two consecutive calendar days. The permit holder shall be responsible for the parking of motor vehicles so as not to be in violation of town Bylaws and traffic regulations. Any signs posted by the permit holder must be removed at the end of the sale.~~ (4/94)

### **Section 3. LICENSES AND PERMITS**

- 2-3-1 The provisions of ~~Massachusetts General Laws, Chapter 40, Section 57, M.G.L. ch. 40, § 57, as amended by St. 1996, c. 74, §§1, 2 added by Chapter 640 of the Acts of 1985~~, relative to the granting or renewing of certain licenses and permits in cities and towns are accepted.
- 2-3-2 The Tax Collector shall annually furnish to each department, board, commission, or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments, or other municipal charges for not less than a twelve-month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.
- 2-3-3 *The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation, or suspension of said license or permit to any party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation, or suspension. Any findings made by a licensing authority with respect to such license denial, revocation, or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation, or suspension. Any license or permit denied, suspended, or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments, or other municipal charges, payable to the Town on the date of issuance of said certificate.*
- 2-3-4 Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided,

however, that the holder be given notice and a hearing as required by applicable provisions of law.

- 2-3-5 The Board of Selectmen may waive such denial, suspension, or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders if any, or members of his immediate family, as defined in Section 1 of Chapter 268 in the business or activity conducted in or on said property. This Bylaw shall not apply to the following licenses and permits issued under the authority of the following cited General Laws: open burning, Section 13 of Chapter 48; bicycle permits, Section 11A of Chapter 85; sales of articles for charitable purposes, Section 33 of Chapter 101; children work permits, Section 69 of Chapter 149; clubs, associations dispensing food or beverage licenses, Section 21E of Chapter 140; dog licenses, Section 137 of Chapter 140; fishing, hunting, and trapping licenses, Section 12 of Chapter 131; marriage licenses, Section 28 of Chapter 207; and theatrical events, public exhibition permits, Section 181 of Chapter 140. (11/87)

## **CHAPTER III PUBLIC HEALTH**

### **Section 1 ALCOHOLIC BEVERAGES**

It shall be unlawful for any person to consume alcoholic beverages on public ~~highways~~ including vehicles, *public beaches* and public places not duly licensed for such purposes within the Town of Truro. Whoever violates the provisions of this Bylaw shall be subject *to a penalty as described in Appendix A of this document.* (2/64)

### **Section 2 NOISE**

- 3-3-1 Between the hours of 11:00 p.m. and 7:00 a.m., the using, operating, or permitting to be played any radio, musical instrument or instruments, phonographs, or any machine or device for the production of sound so as to disturb the peace, quiet, and comfort of neighboring inhabitants, shall be deemed unlawful. The operation of any radio, musical instrument or instruments, or phonographs between the hours of 11:00 p.m. and 7:00 a.m. in such a manner to exceed 62 decibels or at any time day or night to exceed 72 decibels when measured at a point no less than 200 feet from the building, structure, or vehicle in which it is located, shall constitute prima facie evidence of a violation of this Bylaw. Any person who violates this Bylaw shall be punished by a fine of not more than fifty dollars for each offense. (3/73)

### **NUDITY**

~~Public nudity, including public nude bathing, by any person in a public way or other public place on land or water within the boundaries of the Town of Truro is prohibited. Public nudity is a person's intentional exposure or failure to cover with a fully opaque covering. This prohibition shall not apply to a person under ten years of age. (4/75)~~

## **Section 3 SWIMMING POOLS**

- 3-3-1** Any replacement of, or 50% repair of, pre-existing fence enclosures around private swimming pools shall comply with all provisions of this Bylaw, *and all applicable state laws and regulations*. All enclosures of private swimming pools shall be subject to an annual inspection by the Building Department. Violations of the provisions of the Bylaw shall result in a fine *as described in Appendix A of this document*. ~~of \$50.00 per violation per day.~~
- 3-3-2** *Water Supply: the filling of a swimming pool that includes 25% or more of its operational capacity must be with water trucked to the site by a commercial water supply company, i.e. not to be filled from the Provincetown water system or private wells within Truro.*

## **Section 4 TENTING OR/AND OUTDOOR CAMPING**

- 3-4-1.** Tenting or outdoor camping is forbidden on all public beaches, parks, ~~or town~~ landings, ways, roads, parking areas, or other real estate belonging to the Town of Truro. ~~belonging to the Town of Truro, belonging to the Town of Truro, and on.~~ *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/58)
- 3-4-2.** Tenting or outdoor camping is forbidden on private property within the Town of Truro without express permission ~~in writing~~ from the owner of said property. Persons tenting or camping with said permission may be ordered to remove said camp or tent if the Board of Health *or Police Department* deems said camp or tent site a nuisance or injurious to health. ~~The penalty for violation of this Bylaw is a fine of not less than \$10.00 nor more than \$50.00.~~ *Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* (2/58)
- 3-4-3** *No person shall sleep in vehicles on any public way or public place in Town. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.*

~~No person shall, between the hours of 8:00 PM and 8:00 AM, set up on any property, public or private, without written permission of the owner thereof, a camp or tent, or sleep in the open on any property, public or private, within the territorial limits of the Town of Truro.~~ (2/69, 2/71)

## **Section 5 TOBACCO CONTROL**

- 3-5-1.** Smoking shall be prohibited in all public places as provided in MGL ch. 270 s. 22 food service establishments. ~~effective January 1, 2000.~~ ~~A food service establishment is defined as a public place that serves food and/or beverages to the public, including but not limited to restaurants, cafes, bars, and lounges.~~
- 3-5-2.** ~~Variance procedures. The owner of a food service establishment, as defined above, may apply to the Board of Health for a variance of the prohibition of smoking in~~

~~his/her establishment. Application shall be made in writing to the Board of Health, stating the reasons and justification for the request. The Board of Health shall conduct a public hearing on the request, at which the owner or operator shall present the request and the basis for the request. The Board of Health may grant the requested variance, provided:~~

~~3-5-2-1 The smoking area of the establishment occupies a separate, enclosed room with forced ventilation, where no food or beverages are served;~~

~~3-5-2-2 The smoking area is designed in such a way that it does not require nonsmoking patrons to pass through any portion of the ventilated smoking area to access public restrooms or when entering or exiting the principal entry to the establishment; and~~

~~3-5-2-3 No employees of the establishment shall be required to enter the smoking area while patrons are smoking there.~~

#### Malicious or Careless Disposal of Waste

~~No person shall throw, place or cause to be thrown or placed upon any street, roadside or sidewalk, or on the shore or on any private way, without the consent of the owners, any dirt, ashes, stones, hoops, boards or other wood with nails, projecting there from, shavings, sawdust, manure, nails, spikes, screws, glass, tin cans, filth, rubbish, or any noxious or refuse liquid or solid matter or substance. (2/36)~~

#### Disorderly Behavior

~~No person shall fire or discharge any gun, fowling piece, pistol or other firearm within any street, public way, place or square in this town, except with the permission of the Board of Selectmen; provided, however, that this section shall not apply to any firing in accordance with law. (2/36)~~

## CHAPTER IV PUBLIC SAFETY

### **Section 1 AIRCRAFT CONTROL**

4-1-1 The taking off or landing of any passenger or freight-carrying airplanes, helicopters and any other kind of aircraft is prohibited in the Town of Truro, ~~except as follow;~~ except in medical or civil emergencies *or* by federal, state or local government officials or their authorized agents in the exercise of governmental responsibilities; or for public or educational purposes when authorized ~~a permit by the Chief of police which shall be issued only with the approval of the~~ by the Board of Selectmen. ***Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.***

## **Section 2 AUTOMATIC ALARMS**

4-2-1 **Alarm Device:** Any device which when activated transmits a signal to a person or company who in turn relays information to the Police Department or Fire Department, or produces an audible or visible signal to which the Police or Fire Department is expected to respond. A thermostatically controlled colored light bulb shall not be considered an alarm device.

### ***4-2-2 Governmental Liability***

*This Bylaw is not intended to, nor will it, create any new or additional duty or obligation, express or implied, of response by government emergency personnel and any and all such liability claimed under this Bylaw is hereby disclaimed. By applying for an Alarm Registration, the Alarm User acknowledges that police/fire department response, or lack thereof, may be influenced by factors such as: the availability of police/fire units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.*

4-2-3 **Installation:** No person shall install, maintain, or use any signaling device that automatically activates any type of response system, without the written permission of the Police Chief *and/or* Fire Chief. Every alarm user shall submit to the Chief of the appropriate department, their name, address, telephone number, and at least one (1) other person (*caretaker*) who is authorized *to respond within 30 minutes* to an emergency signal transmitted by an alarm device and who can open the premises in which the alarm device is located. *Information shall be updated by the owner of the alarm if any changes are made concerning the caretaker, or the alarm company.*

*4-2-3-1 Any residence with a fire, burglar, panic, hold-up or Medical alarm shall be equipped with a "lock box", which, in case of an emergency, will allow first responders and/or the Caretaker to gain entry. Whoever violates the provisions of this Bylaw by not becoming in compliance within two years of the passage of this Bylaw shall be subject to a penalty as described in Appendix A of this document.*

~~4-2-4 If the emergency signal transmitted by an alarm device is for the purpose of summoning the Fire Department then the alarm user, if he chooses to do so, may install a "Knox Box" security locking box system for use by the fire department.~~

~~4-2-5 Whoever violates the above section shall be assessed a service charge of fifty (50) dollars, and shall cause said alarm to be deactivated forthwith until written permission is obtained as prescribed above.~~

4-2-4 **False Alarms:** If the Police Department or Fire Department is notified of an alarm and the alarm through negligence of the alarm user, or their employee(s), or improper installation, mechanical failure, malfunction, or any other causes, which after investigation is determined to be false, then the alarm user shall be assessed a service charge as outlined *in Appendix A of this document*

## **Section A**

### **~~Burglar/Hold-up Alarms/Panic Alarms~~**

<del>4 2 4 1</del>	<del>Second false alarm within a thirty (30) day period</del>	<del>\$25.00</del>
<del>4 2 4 2</del>	<del>Third false alarm within a thirty (30) day period</del>	<del>\$50.00</del>
<del>4 2 4 3</del>	<del>Fourth and consecutive false alarms within thirty (30) day period</del>	<del>\$100.00</del>

**and**

~~An order to deactivate said alarm.~~

## **Section B**

### **~~Fire Alarms/Medical Alarms~~**

<del>4 2 4 4</del>	<del>Second false alarm within thirty (30) day period</del>	<del>25.00</del>
<del>4 2 4 5</del>	<del>Third false alarm within thirty (30) day period</del>	<del>50.00</del>
<del>4 2 4 6</del>	<del>Fourth and consecutive false alarms within thirty (30) day period</del>	<del>\$100.00</del>

**and**

~~An order to deactivate said alarm.~~

4-2-5 If these payments are not made voluntarily, they may be collected in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 21D. (4/92)

### **4-2-6 AUTOMATIC DIALING MECHANICAL PROTECTION DEVICE**

- 4-2-6-1 No person shall install, maintain, or use a protection device that automatically activates the telephone lines of the Police or Fire departments, without written permission from ~~a review board, made up of the Police Chief, and /or the Fire Chief and the Board of Selectmen.~~
- 4-2-7 All alarm systems installed with an outside audible bell, horn, siren or other signal shall be equipped with a device that will shut off such signal within fifteen minutes after the activation of the alarm system.

~~Alarms directly connected to the Truro Fire/Police Dispatch shall be connected in such a manner that the signal transmitted specifically identifies either fire, burglar or line.~~

~~The Selectmen may, upon recommendation of the review board, make procedural rules and regulations regarding false alarms, after a public hearing.~~

~~All alarm systems connected to the Truro Fire/Police Dispatch which are not presently in compliance with this Bylaw, must be in compliance by July 1, 1986. The owner of such an alarm system, after receiving written notice from the review board,~~

~~and fails to comply with this law, shall be punished by a fine as provided by statute. (4/86) Chief of Police.~~

## **Section 3 DOGS**

- 4-3-1 All dogs shall be restrained by a leash ***unless under the command and visual control by their master or*** confined to property of their owners, except when used for hunting during the hunting season and while hunting under the control of its owner. ***Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.***
- 4-3-2 *Dog Excrement and Removal. No owner shall permit a dog to defecate upon public ways, beaches, or Town-owned land or structures without immediately and permanently removing the excrement there from, nor shall said person permit such excrement to remain on private property without consent of the owner or occupant of same. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.*
- 4-3-3 Any dog found running at large may be removed and impounded. Any dog so impounded may be claimed within ten (10) days, but the owner shall be liable for boarding fee at ~~a established rate~~ ***rate established by the kennel.*** The Town, acting under the provision of Massachusetts General Laws, Chapter 140, Section 173A, as amended by Chapter 627 of the Acts of 1973, ~~adopts the following~~ ***established a*** schedule of fines for violation of this Bylaw or any section of Chapter 140 relating to the control of dogs running at large.

## **Section 4 HANDICAPPED PARKING (HP)**

This Bylaw implements the provisions of Massachusetts General Law G.L. ch. 40, § 21, cl. 23, as amended by St. 2002, c. 450, §1 and as may be amended from time to time, requiring all off-street public or private parking areas used by the public to provide reserved parking spaces for vehicles which bear an HP plate or placard or a disabled veterans plate.

- 4-4-1 ~~**Section 1. Handicapped Parking Regulations.**~~ All parking lots for customers or visitors (with the exception of valet parking) must have accessible spaces for vehicles with proper identification. ~~Parking lots for (employees built or altered as of 1/26/92) must also have accessible spaces. If an employee with a disability needs such accommodation in an older parking lot, he or she may request it of the employer.~~
- 4-4-2 ~~**Section 2. Parking Spaces.**~~ Accessible spaces should be at least 12 feet wide by 20 feet long, ~~with~~ ***including*** a level cross-hatched access aisle not less than 5 feet wide. Two accessible spaces of 9 feet in width may share a common aisle of 5 feet in width.

~~These~~ Spaces should be in a level location providing the shortest safe, accessible route of travel to an accessible entrance. With more than one accessible entrance, the

spaces should be located near each accessible entrance. Sidewalks at such spaces shall have curb cuts at each access aisle, so a person is not required to enter the stream of traffic to get to a sidewalk.

The requirement for designated spaces, *in accordance with M.G.L. ch. 40, § 21, cl. 23, amended by St. 1986, ch. 251 § 1*, is as follows:

15 to 25 spaces	1 designated space
26 to 40 spaces	<b>5%, but not less than 2</b> designated spaces
<del>41 to 75 spaces</del>	<del>3 designated spaces</del>
<del>76 to 100 spaces</del>	<del>4 designated spaces</del>
41 to <b>100</b> spaces	<b>4% but not less than 3</b> designated spaces
<del>101 to 150 spaces</del>	<del>5 designated spaces</del>
<del>151 to 200 spaces</del>	<del>6 designated spaces</del>
101 to <b>200</b> spaces	<b>3% but not less than 4</b> designated spaces
<del>201 to 300 spaces</del>	<del>7 designated spaces</del>
<del>301 to 400 spaces</del>	<del>8 designated spaces</del>
<del>401 to 500 spaces</del>	<del>10 designated spaces</del>
<b>201 to 500</b> spaces	<b>2% but not less than 6</b> designated spaces
<b>501 to 1,000</b> spaces	<b>1.5% but not less than 10</b> designated spaces
<b>1,001 to 2,000</b> spaces	<b>1% but not less than 15</b> designated spaces
<b>2,001 to 5,000</b> spaces	<b>75% but not less than 20</b> designated spaces
<b>More than 5,000</b> spaces	<b>5% but not less than 30</b> designated spaces
<del>501 to 1000 spaces</del>	<del>2 % of total spaces</del>
<del>Outpatient Medical</del>	<del>10% of total spaces</del>

Facilities specializing in treatment or services for people with mobility impairment: 20% of total spaces.

4-4-3 ~~Section 3.~~ **Van Parking.** One of eight handicapped spaces (minimum of one) should be a “van accessible” space, 12 feet wide by 20 feet long with a cross hatched access aisle 8 feet wide allowing a van to operate a lift.

4-4-4 ~~Section 4.~~ **Signs.** There should be an above grade sign at each space or pair of spaces with white lettering against a blue background showing the international symbol of accessibility and bearing the words “Handicapped Parking: Special Plate Required. Unauthorized Vehicles May Be Removed at Owner’s Expense.” “Van spaces” should have additional sign below saying “Van Accessible.” Signs should be permanently located at a height of not less than 5 feet, nor more than 8 feet to the top of the sign.



an

4-4-5 ~~Section 5.~~ **Enforcement.** Whoever violates the provisions of this Bylaw may be sanctioned through the non-criminal disposition process under the provisions of MGL, C. 40, S. 21D, as amended from time to time. ~~The~~ A penalty for unauthorized parking in a designated handicapped space, or in the cross hatched handicapped access aisle, or for blocking access to a designated handicapped space or its aisle



*shall be established by the Board of Selectmen. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.* ~~is between one hundred dollars (\$100.00) and three hundred dollars (\$300.00).~~

4-4-6 An HP placard may be used in association with the transportation of the authorized user of the placard while a vehicle is parked in a designated handicapped space from which the authorized user is entering or exiting, including immediate drop off or pick up. For the purposes of this section, "immediate" shall mean within ten (10) minutes.

~~4-4-7 For the purpose of this Bylaw, the enforcing officer shall be any member of the Police Department, or a Parking Control Officer designated by the Board of Selectmen. (MGL Ch. 147, S. 10F). (4/01)~~

## **Section 5. MOTOR VEHICLES**

~~**Section 1.** No person shall have any more than two unregistered motor vehicles, or any part or portion thereof, ungaraged on premises owned, occupied or controlled by him, at this time unless authorized by the Board of Selectmen *Town*. If after due notice the illegal vehicle is not removed, the Board of Selectmen *Town* shall have the right to order its removal. This Bylaw shall apply to premises duly licensed under the provisions of Sections 58 and 59 of Chapter 140 of the General Laws. Any person failing to move such vehicle within seven (7) days after notice by the Police Department of the town shall be subject to a fine of not more than ten dollars for each offense. (2/66, 4/70)~~

~~The Board of Selectmen *Town* may in any particular instance, authorize a larger number of unregistered motor vehicles under this section, provided, after public hearing, the Board of Selectmen *Town* determines that no improper hazard to the general welfare will be created, that desirable relief may be granted without substantial detriment to the public good and that any enlargement *increase* be limited only to the person to whom it may be granted. (4/70)~~

4-5-1 ~~**Section 3.**~~ It shall be unlawful for the owner or operator of any motor vehicle to park said motor vehicle on any property, public or private, without permission from the person in legal possession thereof. Any police officer who finds any motor vehicle violating the provisions of this Bylaw shall cause the vehicle to be towed away to a place for safe-keeping at the expense of the vehicle's owner. (3/74)

4-5-2 ~~**Section 2.**~~ No person shall have any more than two unregistered motor vehicles, or any part or portion thereof, ungaraged on premises owned, occupied, or controlled by him in any residential or business area. A commercial garage being the only exception to the proceeding and they shall have not more than four (4) unregistered motor vehicles, or any part or portion thereof, ungaraged on premises owned, occupied or controlled by them. If after due notice the illegal vehicle is not removed, the ~~Town~~ Board of Selectmen shall have the right to order its removal. This Bylaw shall not apply to premises duly licensed under the provisions of Sections 58 and 59 of Chapter 140 of the General Laws. Any person failing to move such vehicle within seven (7) days after notice by the Police Department ~~of the town shall be subject to a~~

~~fine (4/69)~~ shall be subject to a penalty as described in Appendix A of this document.

## **Section 6 OBSTRUCTION OF CERTAIN TOWN OFFICERS**

**4-6-1** *It shall be unlawful for any person to obstruct or interfere with any town official acting in the lawful performance of their official duties, including but not limited to any member of the fire department, rescue squad, Harbormaster, Shellfish Constable, Harbor Master, Health/Conservation Agent, Building Commissioner, Dog Officer and any police officer or constable, or shellfish warden in the lawful performance of his duties. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document. ~~Violators shall be punished by a fine of not more than fifty (\$50.00) dollars for each offence. (3/73)~~*

## **Section 7 OUTDOOR LIGHTING**

### **4-7-1 Purpose**

*The regulation of outdoor lighting is intended to enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, provide for lighting that will complement the character of the town, reduce glare, encourage energy savings, and minimize light trespass onto other properties. See figure 1 within this section for examples.*

### **4-7-2 Applicability**

*The requirements of this Bylaw shall apply to outdoor lighting on lots and parcels in all residential and commercial districts, but shall not apply to street lighting, seasonal holiday lighting, public athletic fields, light fixtures with a lighting output of less than 1200 lumens (75 wattage incandescent lighting or equal), lights that control traffic, or for public safety on streets and ways. Municipal facilities shall comply with this Bylaw except as required for emergency services and public safety.*

### **4-7-3 Definitions**

*As used in this section, the following terms shall have the meanings indicated:*

**LIGHT FIXTURE** *A lighting device that may be secured to a wall, ceiling, pole, or post and is used to hold one or more lamps. Lighting fixtures are designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the electrical power supply.*

**HEIGHT OF THE LIGHT FIXTURE:** *The vertical distance from the finished grade of the ground directly below the light fixture to the lowest point of the lamp of the light fixture.*

**LAMP:** *A bulb, which is a component of a light fixture.*

**GLARE:** *Light emitted from a lamp with an intensity great enough to produce a reduction in a typical viewer's ability to see.*

**LIGHT TRESPASS:** *The shining of direct light produced by a light fixture onto an abutting lot, parcel, or street.*

**FULLY SHIELDED LIGHT FIXTURE:** *A light fixture closed at the top with shielding so that the lower edge of the shield is at or below the centerline of the light source or lamp so as to minimize the light rays emitted above the horizontal plane.*

#### **4-7-4 Control of Glare and Light Trespass**

**4-7-4-1** *To the greatest extent feasible, all light fixtures shall be equipped with shielding, lenses, or cutoff devices required to eliminate light trespassing onto a street or abutting lot or parcel and to minimize glare to persons on any street or abutting lot or parcel.*

**4-7-4-2** *All light fixtures, regardless of their intended use or mounting configuration, shall be fully shielded, and directed downward. Downward direction may be waived by the Building Commissioner when illuminating architectural feature such as building sections, spires, American flags, or landscaping features, provided efforts are made to minimize glare.*

**4-7-4-2** *All light fixtures shall also be positioned on the site so as to direct light into the site, lot or parcel and away from the property boundaries of the site, and or abutting properties.*

#### **4-7-5 Pole Height**

**4-7-5-1** *Wherever outside light fixtures are proposed for parking areas, the height of the light fixture, including the pole, base and light fixture itself shall not exceed 15 feet in height.*

**4-7-5-2** *Wherever outside light fixtures are proposed for walkway lighting, the height of the light fixture, including the pole, base and light fixture itself shall not exceed 12 feet in height.*

**4-7-5-3** *Wherever outside light fixtures are proposed for walls or building surfaces, the height of the light fixture, including the light fixture itself, shall not exceed 12 feet in height.*

**4-7-5-4** *Wherever outside light fixtures are proposed for accenting architectural features of building surfaces, the height of the light fixture shall be exempt from the height requirements granted, provided the light fixture is in compliance with all other provisions of this Bylaw.*

#### **4-7-6 Compliance**

*When an existing outdoor lighting fixture is being modified, extended, expanded, or added to, outdoor lighting shall be subject to this section. All other outdoor lighting fixtures must come into conformance with this section within 5 years of its effective date.*

#### **4-7-7 Enforcement and Appeals**

*This Bylaw shall be enforced by the Building Commissioner, or his designee.*

- 4-7-7-1**      *This bylaw shall be enforced by the Building Commissioner, or his designee. Whoever violates the provisions of this Bylaw shall be subject to a penalty as described in Appendix A of this document.*
- 4-7-7-2**      *If the Building Commissioner or his designee shall find any provision of this section is being violated, he/she shall notify such person deemed responsible for the violation in writing, indicating the nature of the violation and the action necessary to correct it.*
- 4-7-7-3**      *Any order or decision of the Building Commissioner made in accordance with 4-7-7-2 and the administration of this bylaw may be appealed by any person aggrieved, to the Board of Selectmen ~~Town Administrator~~. Any such appeal shall be taken within thirty (30) days from the date of the decision or order which is being appealed by filing a notice of appeal, specifying the grounds thereof with copy to the Town Clerk's Office.*
- 4-7-7-4**      *An order of the Board of Selectmen may be appealed to Court.*

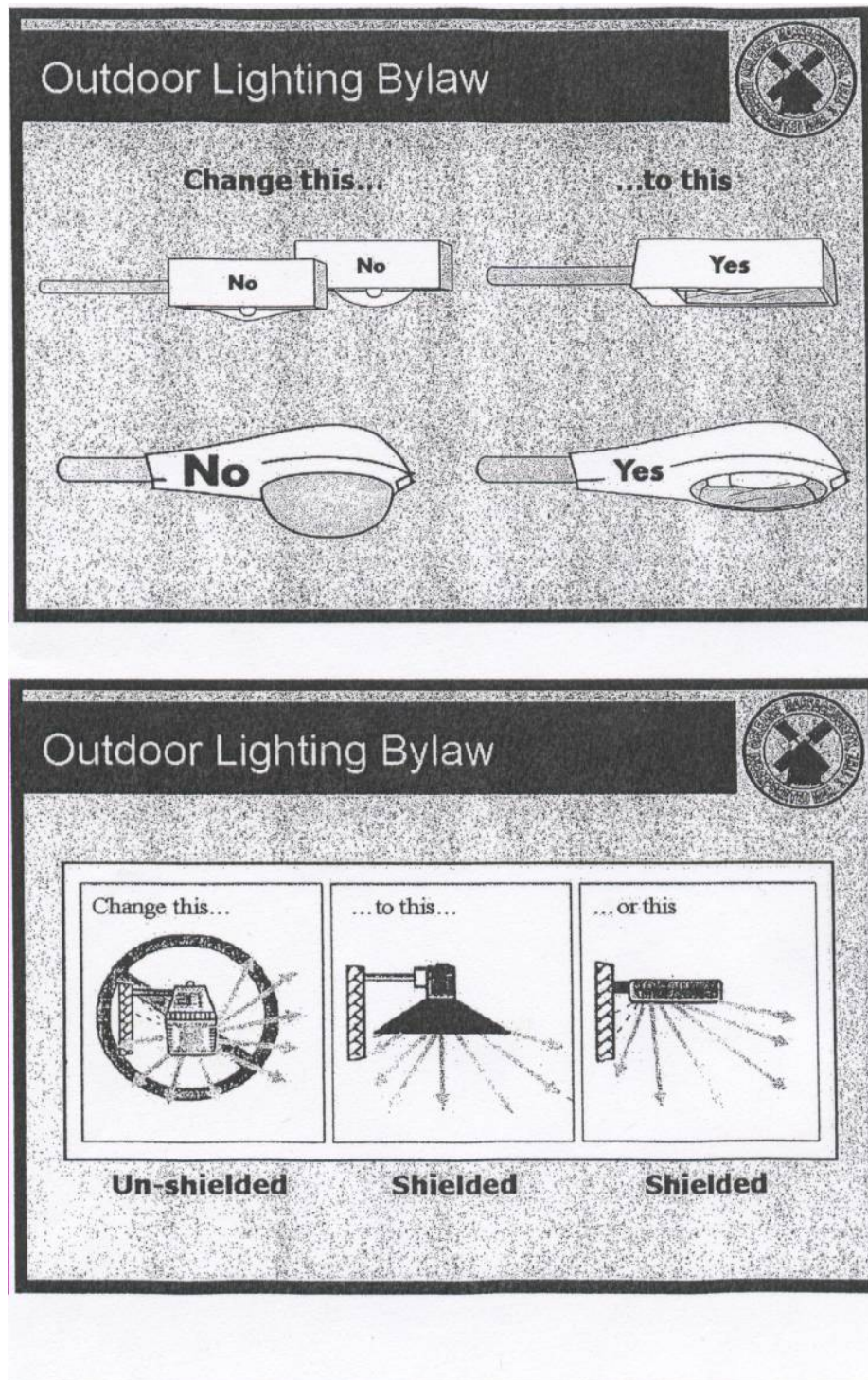


Figure 1: Lighting examples as defined by the bylaw.

## **Section 8 PERSONAL WATERCRAFT (PWCs)**

- 4-8-1 ~~Section 1.~~ Personal Watercraft shall mean a vessel, propelled by a water jet pump or other machinery as its primary source of motor propulsion, which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than being operated in the conventional manner by a person sitting or standing inside the vessel. [323 CMR 4.02]
- 4-8-2 ~~Section 2.~~ Personal watercraft operations within the Town of Truro shall be governed by the provisions of Massachusetts General Law, Chapter 90B, Section 9A; No person shall operate a jet ski, surf jet or wetbike (a) on the waters of the Commonwealth unless the person is sixteen (16) years of age or older; (b) within one hundred fifty feet of a swimmer, shore or moored vessel, except at headway speed; (c) on waters of the Commonwealth of less than seventy-five (75) acres; (d) without wearing an approved personal floatation device; or (e) between sunset and sunrise. For the purposes of this section, the term “headway speed” shall mean the slowest speed at which a personal watercraft, jet ski, surf jet or wetbike can be operated and maintain steerage way. In addition, the following regulations shall apply;
- 4-8-3 ~~Section 3.~~ Operation of personal watercraft is prohibited within or from the Pamet River and Pamet Harbor, except that personal watercraft may use the marked channels of the Pamet River only from the launching ramp through the jetties as a means to exit or enter the Pamet Harbor. There will be absolutely no wake in the anchorage or mooring area. Speed will not exceed 5 mph, or the minimum speed required for steerage, from the entrance jetties, throughout the channel and inner harbor.
- 4-8-4 ~~Section 4.~~ Personal watercraft shall be launched only from the public ramp at Pamet Harbor. (Before the initial launch, operator to receive copy of regulations, for which he/she will sign.)
- 4-8-5 ~~Section 5.~~ Personal watercraft are prohibited from any *on* Town-owned beaches. and from any Town-owned beach parking lots.
- 4-8-6 ~~Section 6.~~ Buffer Zone: Except for traveling directly from its launch point to the ¼ mile limit, and except for returning directly from that limit, no personal watercraft shall be operated within ¼ mile of the shoreline of Truro (as measured from mean low water).
- 4-8-7 ~~Section 7.~~ Operation of personal watercraft is prohibited in the waters of the Town of Truro within the boundaries of the Cape Cod National Seashore as set forth in Public Law 87-126, dated 7 August 1961, and as most recently surveyed by the U. S. Department of the Interior.
- 4-8-8 ~~Section 8.~~ A personal watercraft may be operated on the waters described above for the purpose of enforcement, search and rescue, training, or other emergency, *provided*

it is under the direction of a duly authorized federal, state or local law enforcement or emergency response agency.

- 4-8-9 ~~Section 9~~—Criminal complaint. Any violation of this Bylaw shall be punishable by a fine as *established in Appendix A* for each offense. Each day on which a violation occurs or continues shall be deemed a separate offense, subject to the penalties stated herein. (1/02)

## CHAPTER V DOMESTIC PARTNERSHIP

### **Section 1 RECOGNITION AND SCOPE**

The Town of Truro recognizes the diverse composition of its citizenry and realizes that a perpetuation of the traditional meaning of “family” can exclude a segment of the Truro population by: (1) depriving them of recognition and validation; and (2) denying them certain rights that should be afforded to persons who share their homes, hearts, and lives. Recognizing its commitment to fair treatment of its citizens, the Town adopts this Bylaw that acknowledges domestic partnerships.

People in committed relationships who meet the criteria established by the Town as constituting a domestic partnership are provided an opportunity by this Bylaw to register at the office of the Town Clerk, obtain a certificate attesting to their status, and share in certain rights and benefits conferred under this Bylaw.

### **Section 2 DEFINITIONS**

- 5-2-1 Domestic Partnership means the entity formed by two persons who jointly file a Domestic Partnership Form and declare under penalty of perjury that they meet all the following criteria:

- (1) They are in a relationship of mutual support, caring, and commitment;
- (2) They intend to remain in such a relationship
- (3) They are not married or in any other domestic partnership
- (4) They are not related by blood closer than would bar marriage in the Commonwealth of Massachusetts
- (5) They are competent to enter a contract
- (6) They are eighteen (18) years of age or older
- (7) They agree to notify the Town of Truro of any change in the status of their domestic partnership.

- 5-2-2 Mutual support means that each domestic partner contributes in some fashion, though not necessarily equally or financially, to the maintenance and support of the domestic partnership.

- 5-2-3 Competent to enter a contract means eighteen (18) years of age and mentally

competent to contract.

5-2-4 Domestic partner means a person who meets the criteria set out in the definition of domestic partnerships in paragraph 5.2.1 or who is registered as such in another jurisdiction or who has entered a civil union in another jurisdiction.

5-2-5 Dependent means a minor who lives within the household of the domestic partner and is: (1) a biological child, adopted child, or foster child of a domestic partner; (2) a dependent as defined under IRS regulations; or (3) a ward of a domestic partner as determined in a guardianship proceeding.

### **Section 3 REGISTRATION, AMENDMENT, TERMINATION AND EFFECT OF TERMINATION.**

5-3-1 **Registration.** Persons who meet the criteria set out in the definition of domestic partnership in paragraph 5.2.1 may make an official record of their domestic partnership by filing a Domestic Partnership Registration Form with the Town Clerk. The Domestic Partnership Registration Form shall include the name and date of birth of each of the domestic partners, the address of their household(s) and the names and dates of birth of any dependents of the domestic partnership. The form shall be signed by both partners.

5-3-1-1 No person who has filed a Domestic Partnership Registration Form may file another Domestic Partnership Registration Form until six (6) months after a Domestic Partnership Termination Form terminating a previous partnership has been filed with the Town Clerk.

5-3-2 **Amendment.** Domestic partners may file a Domestic Partnership Amendment Form to add or delete dependents or change an address. Any amendment shall be signed, under the pains and penalties of perjury, by both domestic partners.

5-3-3 **Termination.** A domestic partnership is terminated by the death of a partner or by one of the partners filing, by hand delivery or certified mail, with the Town Clerk a Domestic Partnership Termination Form. The person filing such form must declare under the pains and penalties of perjury that the domestic partnership is terminated and that a copy of the Domestic Partnership Termination Form has been sent by certified mail to the other domestic partner at his or her last known address; that address must be included in the form. The termination shall be effective immediately upon the death of a domestic partner or seven (7) days following the receipt of a Domestic Partnership Termination Form by the Town Clerk.

5-3-4 **Effect of Termination.** There shall be no required waiting period prior to filing another Domestic Partnership Registration Form if a domestic partnership is terminated by the death of a domestic partner. If a domestic partnership is terminated voluntarily by the filing of a Domestic Partnership Termination Form with the Town Clerk, both domestic partners must wait until six (6) months have elapsed from the effective termination date before filing another Domestic Partnership Registration Form.



## **Section 4 TOWN CLERK FEES AND RECORDS.**

- 5-4-1 **Fees.** The Town Clerk shall collect a fee for filing a Domestic Partnership Registration Form and issuing a Certificate of Domestic Partnership, and for filing of a Domestic Partnership Termination Form. The filing fees required by this subparagraph shall be the same as required for issuance of a Marriage License.
- 5-4-2 **Records.** Upon receipt of a Domestic Partnership Registration Form and filing fee, the Town Clerk shall: (1) issue a Certificate of Domestic Partnership to the domestic partners; and (2) maintain records of domestic partnerships registered in the Town, including forms filed and certificates issued. The Town Clerk shall provide all forms referenced in this Bylaw to persons requesting them to the same extent and in the same manner as marriage licenses.

## **Section 5 RIGHTS OF DOMESTIC PARTNERS.**

Persons who have registered their domestic partnerships at the office of the Town Clerk in accordance with these Bylaws are entitled to the following rights:

- 5-5-1 **Health care facility visitation rights.** A domestic partner shall have the same visitation rights as a spouse or parent of a patient in any and all health care facilities in the Town of Truro. A dependent may have the same visitation rights as a patient's child. The term "health care" facility includes, but is not limited to, hospitals, convalescent facilities, mental health care facilities, and other short and long term care facilities that are in the Town of Truro.
- 5-5-2 **Correction facility visitation rights.** A domestic partner shall have the same visitation rights as a spouse or parent of a person in custody. A dependent shall have the same visitation rights afforded to a child of a person in custody. The term "correctional facilities" includes, but is not limited to, holding cells, jails, and juvenile correction centers that are owned by the Town of Truro.
- 5-5-3 **Access to schools.** A domestic partner, who is also the parent or legal guardian of a child, may file a form at, or send a letter to, the child's school to indicate that the partner's domestic partner shall have access to the child's records, access to school personnel in matters concerning the child, and access to the child, including the right to remove such child from the school for sickness or family emergency. The school shall afford such domestic partner access as directed by the child's parent or guardian. When a domestic partnership is terminated pursuant to the Bylaw, it is the responsibility of the parent or guardian to notify the school, in writing, of the termination of the rights of the former domestic partner. The term "school" includes any school, pre-school programs, after-school programs, day-care programs or recreation programs operated by the Town of Truro.

## **Section 6 DISCRIMINATION PROHIBITED.**

No person shall discriminate or retaliate against any person who seeks the benefit of this Bylaw, registers or makes a declaration pursuant to its provisions, or assists another person in obtaining the benefits of this Bylaw.

## **Section 7 EFFECT ON OTHER TOWN BYLAWS.**

When the term “spouse” is used in other Town Bylaws, it shall be interpreted to include a domestic partner. When the term “family” is used, it shall be interpreted to include domestic partnerships. (4/01)

# **CHAPTER VI PRESERVING HISTORIC PROPERTIES**

## **Section 1 PURPOSE**

- 6-1-1 This Bylaw is enacted for the purpose of preserving and protecting significant buildings, structures and sites within the Town of Truro. The intent is to promote the public welfare and to safeguard the Town's heritage. This Bylaw aims to encourage owners of historic properties to seek alternatives to demolition.
- 6-1-2 To this end, procedures are established herein for the Town, together with the owner of a historically significant property, to explore alternatives to demolition prior to, and as a condition of, the issuance of a demolition permit.

## **Section 2 DEFINITIONS**

### **6-2-1 Significant Building.**

- 6-2-1-1 Any building or structure listed on the National or State Register of Historic Places, or the subject of a pending application for such a listing.
- 6-2-1-2 Any building constructed in whole or in part 100 years or more prior to the date of application for a demolition permit; or
- 6-2-1-3 Any building determined by the Historical Review Board to be a significant building either because:
- (a) It is historically or architecturally significant in terms of period, style, method of building construction, or association with a famous architect; or

- (b) It is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth.

6-2-2 Demolition.

- 6.2.2.1 The act of pulling down, destroying, removing, or razing a building as determined by the Building Inspector. The term "demolition" shall not include ordinary maintenance or repair of any building.

### **Section 3 HISTORICAL REVUE BOARD COMPOSITION AND APPOINTMENTS**

- 6-3-1 The Historical Revue Board is charged with implementing the procedure for Preserving Historic Properties Bylaw and empowered to advise the Truro Building Inspector with respect to the issuance of demolition permits for historically significant buildings and structures. The Historical Review Board shall be appointed by the Board of Selectmen in consultation with the Truro Historical Commission. It shall consist of three (3) people chosen for their interest in and knowledge of historic buildings and structures. The term of office shall initially be for one, two, and three years respectively, and for three years thereafter.

### **Section 4 HISTORICAL REVUE BOARD POWERS AND DUTIES**

- 6-4-1 The Historical Review Board shall:

- 6-4-1-1 Develop policies, guidelines and criteria before compiling a list or register of historically, culturally, or architecturally significant buildings and structures located within the Town of Truro.
- 6-4-1-2 Notify current owners of such buildings and structures in writing and provide them with an official plaque to display if they so wish. At this time, the Historical Review Board shall hold a hearing for any current owners objecting to the Board's determination that their property is of historical, cultural, or architectural significance.
- 6-4-1-3 Prepare guidelines for alternatives to demolition such as preservation, renovation, rehabilitation, restoration, or relocation.
- 6-4-1-4 Provide copies of the list and guidelines to the Town Clerk, Building Inspector, appropriate officials and Boards, and local Realtors.
- 6-4-1-5 *Review applications for demolition permits forwarded to it by the Building Inspector in order to determine if the building or structure involved is subject to the hearing process.*

- 6-4-1-6** *Hold public hearings on demolition permit applications to determine if the intended demolition would be detrimental to the historical, cultural or architectural heritage of the Town; whether the work proposed will materially diminish the building or structure's significance to the Town's heritage; and to explore alternatives to demolition.*
- 6-4-1-7** *Impose demolition delays of up to five (5) months on demolition permit applications which it has determined would destroy or substantially diminish the building or structure's significance to the Town's heritage.*

## **Section 5 PROCEDURES FOR REVIEW OF APPLICATIONS**

- 6-5-1 The Building Inspector shall, within five (5) working days of receipt of an application for a demolition permit, forward a copy of the application to the Historical Review Board.
- 6-5-2 The Historical Review Board shall within five (5) working days inform the Building Inspector if the building or structure in question is subject to the hearing process.
- 6-5-3 If the building or structure in question is deemed subject to the hearing process, then within thirty (30) days of receipt of the application, the Historical Review Board shall hold a public hearing to determine if the intended demolition would be detrimental to the historical, cultural, or architectural heritage of the Town; if less than a complete demolition is proposed, whether the work will materially diminish the building or structure's significance to the Town's heritage; and to explore the alternatives to demolition.
- 6-5-4 Notice of the time, place, and subject matter of the Historical Review Board hearings shall be provided by publication in a newspaper of general circulation in the Town once a week for two (2) consecutive weeks, the first notice to appear at least fourteen (14) days before the day of the hearing (including the day of publication and excluding the day of the hearing); and by certified mail to the owner or applicant, all abutters to the subject property, the Truro Historical Commission, the Board of Selectmen, the Planning Board, and such other persons as the Historical Review Board may determine.
- 6-5-5 Within fourteen (14) days of the close of the public hearing, the Historical Review Board shall notify the owner or applicant and the Building Inspector of its decision. If the Historical Review Board has determined that the proposed demolition would destroy or substantially diminish the building or structure's significance to the Town's heritage, it is empowered to impose a demolition delay of up to five (5) months from the close of the public hearing to afford the applicant and the Historical Review Board time to develop alternatives to demolition.
- 6-5-6 If, at the end of the mandated delay, the owner or applicant has failed to develop an alternative to demolition, the Historical Review Board shall within seven (7) days notify the Building Inspector who may then issue the demolition permit.

- 6.5.7 The Building Inspector may issue a demolition permit prior to the end of the mandated delay only upon receipt of written notice from the Historical Review Board that it is satisfied that the applicant has made a serious but unsuccessful effort to develop an alternative to demolition and that there is no reasonable likelihood that the applicant or potential purchasers will be willing or able to rehabilitate, restore, relocate, or otherwise preserve the building or structure.

## **Section 6 EMERGENCY DEMOLITION**

- 6-6-1 Nothing in this Bylaw shall restrict or prevent the Building Inspector from ordering the immediate demolition of any building or structure determined by the Building Inspector to present a clear and present danger to the safety of the public which only demolition can remedy. The Building Inspector shall provide the Historical Review Board written notice of the circumstances of the permit issuance.

## **Section 7 ENFORCEMENT**

- 6-7-1 The Building Inspector shall be authorized to enforce the provisions of this Bylaw and to institute any and all actions and proceedings as may be necessary and appropriate to obtain compliance, including injunctive relief to enjoin and restrain any violations or threatened Special violations thereof.

## **Section 8 NON-COMPLIANCE**

- 6-8-1 Anyone who undertakes demolition of any historically significant building or structure, in whole or in part, without complying with the provisions of this Bylaw, shall be subject to a fine *established in Appendix A.* ~~of \$300.00~~. Each day such demolition continues shall constitute a separate offense. (11/99)
- 6-8-2 No building permit shall be issued or be valid for a period of two (2) years from the date of notification of the offense for any parcel or premises upon which a historically significant building or structure has been demolished in violation of the Bylaw.

(6/97, 6/98, 11/99)

## **APPENDIX A**

Section 1	Except when otherwise provided by law, prosecutions for offenses under the Bylaws of the Town may be made by any constable or police officer of the Town
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Chapter & Section	Subject	Fine \$	Enforcing Authority
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1-6-5-1	Failure to post building numbers	\$50.00 per offense	Building Commissioner, Police Department
1-6-5-2	Removal, defacing or concealing street numbers	\$50.00 per offense/per day	Building Commissioner, police department
1-8-5	Removal of soil, loam or gravel	MGL ch.. 40 s. 21 1 <sup>st</sup> offence \$50.00 2 <sup>nd</sup> offense \$100.00 Subsequent offence \$200.00	Building Commissioner Police Department
1-9-1	Excavation of pubic sidewalk street, highway etc	\$200.00 per offense	Building Commissioner, Police Department Licensing Agent
1-9-2	Dumping on street	\$50.00 per offense	Police Department

Chapter & Section	Subject	Fine \$	Enforcing Authority
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1-9-4	Driving motor vehicle on public beach without a permit	\$20.00 per offense	Police Department, Beach Commission
1-9-5	Disorderly acts or language	\$50.00 per offense	Police Department
1-9-6	Vehicle obstruct pubic street	\$50.00 per offense	Police Department
1-9-7	Occupying public street as storage room for vehicles	\$100.00 per offense	Police Department
2-1-3	Renting, leasing	\$50.00 per offence	Licensing agent
2-1-4	Renting, leasing	\$50.00 per offense	Licensing agent
2-2-1	Yard Sales	\$50.00 per offence	Police Department, Licensing agent

3-1	Alcoholic beverages	\$50.00 per offense	Police Department
3-2	Noise	\$50.00 per offense	Police Department
3-4	Swimming pools	\$50.00 per offense	Licensing agent
3-5-1	Tenting, camping on public property	\$100.00 per offence	Police department, Board of Health,
3-5-2	Tenting, camping on private property	\$100.00 per offence	Police department, Board of Health
3-5-3	Sleeping in vehicles	\$100.00 per offence	Police department, Board of Health

Chapter & Section	Subject	Fine \$	Enforcing Authority
4-1-1	Aircraft	\$1000.00 per offence	Police department
4-2-3-1	Failure to install lock box	\$20.00 per day	Police department, licensing agent
4-2-4	Burglar/hold-up alarms/panic alarms	A. Second false alarm within 30 day period \$25.00 B. Third false alarm within 30 day period \$50.00 C. forth and consecutive false alarm within 30 day period \$200.00	Police Department
4-3-1	Failure to Restrain or Control Dogs	\$50.00 Per Offense	Dog/Animal Control, Police Department
4-3-2	Failure to remove dog excrement	\$50.00 Per Offense	Dog/Animal Control, Police Department
4-3-3	Dogs running at large	MGL Ch. 140 sec 173A	Dog/Animal Control, Police Department
4-4-5	Handicap Parking	\$100.00 - \$300.00 and removal in accordance with MGL Ch. 40 sec 22D	Police Department, Beach Commission
4-5-2	Unregistered Vehicles	\$50.00 Per Day	Police Department, Board of Health
4-6-1	Interfering with Town Officers	\$50.00	Police Department

Chapter & Section	Subject	Fine \$	Enforcing Authority
4-7-7-1	Outdoor Lighting	\$50.00 Per Day	Building Commissioner
4-8-9	Personal Watercraft	\$50.00 Per Offense	Harbor Master, Police Department
6-8-1	Demolition of Historic Structures	\$300.00 Per Day	Building Commissioner

Requested by Charter and Bylaw Review Committee

Recommendation by Board of Selectmen: 5-0

Recommendation by Charter and Bylaw Review Committee: 7-0

Comment: The Truro Town Charter requires that Bylaw Review Committee of seven members be appointed by the Board of Selectmen for a term of one year. The Committee makes recommendations for the revision or amendment of the Bylaws to the next Annual Town Meeting and are then discharged upon making such recommendations. The Following review of the Bylaw is to ensure that it is in conformance with the laws of the Commonwealth of Massachusetts and to ensure that the Town has acted within the powers conferred on it by the state.

### **ARTICLE 31. ABUTTERS' LIST**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 70, Site Plan Review, §70.5,D.4, by repealing that section, reading as follows:

LIST OF ABUTTERS: A list of abutters and their addresses, including any abutters separated from the proposed project by a street or other way. The Board shall notify abutters and hold an advertised public hearing within sixty-five (65) days of receipt of a complete plan application;

and by substituting in its place the following:

LIST OF ABUTTERS: The proposer, contractor, or developer shall furnish a list which will be certified by the assessors and which will present the names and addresses of (a) all parties in interest, as defined by the zoning statutes, and (b) all property owners whose access to their lots will be affected by the project. The Board shall notify abutters and hold an advertised public hearing within sixty-five (65) days of receipt of a complete plan application;

and by conditioning this amendment upon the replaced section first being approved by the Attorney General, or to take any other action relative thereto



Requested by the Truro Planning Board  
Planning Board Recommendation: 5-0  
Board of Selectmen Recommendation: 4-1

Comment: This change is to ensure that all members of the community are notified about projects which might affect the access to their homes.

## **ARTICLE 32. AFFORDABLE OVERLAY DISTRICT**

To see if the Town will vote to amend the Truro Zoning Bylaw by repealing, in the Affordable Rental Housing Overlay District provision, this paragraph:

Density: To qualify for inclusion in the Affordable Rental Housing Overlay District, a proposed development may contain no more than four buildings consisting of up to three units each. An applicant may request the Board of Appeals to grant a special permit which will allow no more than one additional unit per building;

and by substituting in its place:

Density: To qualify for inclusion in the Affordable Rental Housing Overlay District, a development may have no more than twelve (12) dwelling units; however the Board of Appeals may grant a special permit which will allow no more than four (4) additional dwelling units. Single-unit buildings are not allowed.

or to take any other action relative thereto.

Proposed by the Planning Board  
Planning Board Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: This change eliminates the reference to the number of buildings in Section 30.6 of the Zoning Bylaw. The original intent of the bylaw was to allow for up to 16 units in four buildings. The Town requested proposals from developers and selected Community Housing Resource, Inc. to design and develop Truro's first affordable Housing Project. The final design that was submitted to the Zoning Board of Appeals requested 14 units in 7 buildings, which did not conform to the text in the bylaw but did conform to its intent. Unfortunately, the project has been stalled by litigation; this change will make the intent of the bylaw clearer and allow for the project to move forward.

## **ARTICLE 33. AMEND TRURO ZONING BYLAWS DEFINITIONS**

To see if the Town will vote to amend the Zoning Bylaws' definition section by deleting the following:

Rotor – The blades plus the hub to which the blades of a windmill tower are attached.

Windmill – A device which converts wind energy to mechanical or electrical energy

And to further amend the Truro Zoning Bylaws' definition section by adding in their correct alphabetical order the following:

Clear area – Area surrounding a wind turbine to be kept free of habitable structures.

Distributed Generation – Energy generation that is located at or near the end-user.

Height, Wind Turbine – The height of a turbine measured to the tip of the blade at its highest point.

Nacelle – The framing and housing at the top of the tower that encloses the gearbox and generation and protects them from the weather.

Rotor – The blades and hubs of the wind turbine that rotate during turbine operation

Wind Energy Conversion Facility – All equipment, machinery and structures utilized in the connection with the conversion of wind to electricity. This includes, but is not limited to all transmission, storage, collection and supply equipment, substations, transformers, site access, service roads, and machinery associated with the use. A wind energy conversion facility may consist of one or more wind turbines.

Wind Monitoring or Meteorological Tower – Tower used for supporting anemometer, wind vane and other equipment to assess the wind resource at a predetermined height above the ground. Also known as “test” or “met” tower.

Wind Turbine – A device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. A wind turbine typically consists of a rotor, nacelle and supporting tower.

or take any other action relative thereto.

Requested by the Planning Board

Planning Board Recommendation: 5-0

Board of Selectmen Recommendation 5-0

Comment: These definitions are relevant to the following zoning bylaw, Article 26, on Wind Generation. They are necessary to permit correct use of the text.

## **ARTICLE 34. LOT FRONTAGE**

To see if the Town will vote to amend the Truro Zoning Bylaw by repealing the present definition of Lot Frontage reading:

Lot Frontage. The lot frontage shall be the distance along a straight line connecting the points of intersection of the side lot lines with the front lot line on a public, private, or approved way;

and by substituting the following:

Lot Frontage. That portion of a lot fronting upon and having access to a street. Lot frontage shall be measured continuously along the front lot line along one street between side lot lines or, in the case of corner lots, between one side lot line and the mid-point of the corner radius;

or to take any other action relative thereto.

Comment: The intent of this amendment is to simplify the layout and analysis of subdivisions in Truro, and to bring our bylaw into conformance with those of other Massachusetts towns.

Proposed by the Truro Planning Board  
Planning Board Recommendation: 4-0  
Board of Selectmen Recommendation: 5-0

Comment: The intent of this amendment is to simplify the layout and analysis of subdivisions in Truro, and to bring our bylaw into conformance with those of other Massachusetts towns.

## **ARTICLE 35. WIND GENERATORS**

To see if the Town will vote to amend the Truro Zoning Bylaw by repealing its windmill provision, denoted VIII-I in 1981, and § 40.4 in 2004, and by inserting in their place the following:

### **§ 40.4 Wind Generators**

#### **A. Purpose and Intent**

It is the express purpose of this bylaw to regulate wind energy conversion facilities, including meteorological towers, ensuring that they are placed in appropriate locations, while minimizing any adverse visual, safety and environmental impacts of those facilities. This bylaw is intended to be used by the Truro Planning Board and other relevant boards in conjunction with other regulations adopted by the town.

#### **B. Basic Regulations**

##### **1. Use Regulations**

The erection of a wind energy conversion facility or wind monitoring tower shall require a building permit. A permit shall be issued only as follows, whether the use is a principal or accessory use:

##### **1.1 Wind Energy Conversion Facility**

No wind energy conversion facility shall be constructed or emplaced (a) unless it complies with the wind generator sections of the zoning bylaws and (b) unless the Planning Board issues an enabling special permit which may, through the conditions of that special permit, excuse or mitigate full compliance with the zoning by-laws' wind generator requirements.

## 1.2 Wind Monitoring or Meteorological Towers

Before wind monitoring or meteorological towers are constructed or installed, the tower proponent must obtain a special permit from the Planning Board. The proponent, however, may request a pre-application hearing, which will be advertised, and, thereafter, the Planning Board may issue a decision that a special permit is not needed because the tower's height, location, duration, state or federal ownership, or other characteristics do not warrant review through a special permit process and because the tower is in harmony with the general purpose and intent of the zoning bylaws. References hereafter to "tower" shall mean "wind-monitoring or meteorological tower."

## 2. Site Control

The applicant shall possess control over the site, as required in Section G 5.1 d) and the applicant must furnish reasonable assurance that this control will endure through the term of the special permit. Control shall mean authority to install and use the proposed facility and to prevent the use of any structure within the setback or clear area for human habitation or other use permitting human occupancy.

## 3. Dimensional Requirements

### 3.1 Height

Wind energy conversion facilities shall be no higher than 100 feet above the natural grade. The Planning Board may allow this height to be exceeded as part of the special permit process if the project proponent can demonstrate that the additional height is needed and that the additional benefits of the higher tower outweigh any increased adverse impacts. Monopole towers are the preferred type of support for wind turbines.

### 3.2 Setback or Clear Area

Each wind energy conversion facility and its associated equipment shall comply with the building setback provisions of the zoning district in which the facility is located. In addition, the following setbacks shall be observed:

- a) In order to ensure public safety and to protect the interests of neighboring property owners, the minimum distance from the base of any wind turbine tower to any property line, dwelling, business or institutional use shall be equal to the total height of structure to the highest point plus an additional six feet. This setback is considered a "clear area."
- b) The setback or clear areas should be kept free of all habitable structures so long as the facility is in place; however, this area need not be cleared of trees or other vegetation. Setbacks shall be measured from the outside surface at the base of the turbine tower. The Planning Board may reduce the clear area as appropriate based on site specific considerations.

## C. Special Permit Regulations

The Planning Board shall grant a special permit only if it finds that the proposal complies with the provisions of this bylaw and complies with the applicable criteria for granting special permits, as detailed in Section H below.

### 1. General

Proposed wind energy conversion facilities shall comply with all applicable local, state and federal requirements, including but not limited to all applicable electrical, construction, noise, safety, environmental and communications requirements.

## 2. Design Standards

### 2.1 Visual Impact

The proponent shall demonstrate through project siting and proposed mitigation that the wind energy conversion facility minimizes any impact on the visual character of surrounding neighborhoods and the community. Relevant criteria may include, but not be limited to, information regarding site selection, turbine design, buffering, lighting and cable layout.

### 2.2 Color

Wind energy conversion facilities shall be painted a non-reflective color that blends with the sky, unless FAA regulations require a specific color.

### 2.3 Equipment Shelters

Equipment necessary for monitoring and operation of the wind energy conversion facilities should be contained within the turbine tower. If this is not feasible, ancillary equipment may be located outside the tower, provided this equipment is contained either within an underground vault, or enclosed within a separate structure or behind a year-round landscape or vegetated buffer.

### 2.4 Lighting and Signage

- a) Wind turbines shall be lighted only to the extent required by the Federal Aviation Administration (FAA).
- b) Lighting of equipment structures and any other facilities on site (except lighting required by the FAA) shall, at a minimum, comply with the Town's restrictions for exterior lighting
- c) Signs on the facility shall be limited to:
  - i) those needed to identify the property, and the owner and warn of any danger; and,
  - ii) educational signs providing information on the technology and renewable energy usage.
- d) All signs shall comply with the requirements of the Town's sign code.

## 3 Environmental Standards

### 3.1 Wetlands

Wetland buffer areas may be used for the purposes of providing a clear area.

### 3.2 Land Clearing/Open Space/Avian and Protected Species

Wind energy conversion facilities shall be designed to minimize land clearing and fragmentation of open space areas and shall avoid permanently protected open space. Wind turbines should be sited to make use of previously developed areas wherever possible. Wind energy conversion facilities shall also be located in a manner that does not have significant negative impacts on avian and protected species in the vicinity.

### 3.3 Stormwater

Stormwater run-off and erosion control shall be managed in a manner consistent with all applicable state and local regulations.

### 3.4 Noise

The wind energy conversion facility and associated equipment shall conform with Massachusetts noise regulations (310 CMR 7.10).

### 3.5 Shadowing and Flicker

Wind energy conversion facilities shall be sited in a manner that does not result in significant shadowing or flicker impacts. The proponent has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

#### 4. Safety Standards

No hazardous materials or waste shall be discharged on the site of any wind energy conversion facility. If any hazardous materials or wastes are to be used on site, there shall be provisions for full containment of such materials or waste. An enclosed containment area, designed to contain at least 110 percent of the volume of the hazardous materials or waste stored or used on the site may be required to meet this requirement.

The wind energy conversion towers shall also be designed to prevent unauthorized access (for example, by construction of a fenced enclosure or locked access).

#### 5. Use by Telecommunications Carriers

Wind energy conversion facilities may be used to locate telecommunications antennas, subject to applicable regulations governing such uses, and subject to the following additional requirements:

5.1. All ground-mounted telecommunications equipment shall be located in either a shelter, within the wind turbine tower or otherwise screened in all seasons from public view either through effective landscaping or existing natural vegetated buffers;

5.2. Antennas shall be flush-mounted to be in keeping with the design of the wind turbine tower.

5.3 All cabling associated with the wireless facility shall be contained within the tower structure or enclosed within a conduit painted to match the turbine mount.

#### D. Modifications

All modifications to a wind energy conversion facility made after issuance of the special permit shall require approval by the Planning Board in accordance with the existing process for modifications to special permits.

#### E. Monitoring and Maintenance

1. After the wind energy conversion facility is operational, the applicant shall submit to the town at annual intervals from the date of issuance of the special permit, a report detailing operating data for the facility, including, but not limited to, days of operation, energy production, and so forth.

2. The applicant shall maintain the wind energy conversion facility in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the foundation and support structure and security barrier (if applicable), and maintenance of the buffer areas and landscaping if present.

3. The holder of a special permit shall promptly provide written notice to the Planning Board of any change in ownership of the facility.

#### F. Abandonment or Discontinuation of Use

1. At such time as the holder of a special permit issued under this section elects to abandon or discontinue the facility or tower, the holder shall notify the Planning Board by certified mail, return receipt requested, of the proposed date of abandonment or discontinuance. In the event that a holder fails to give such notice,

the facility or tower shall be considered abandoned or discontinued if the facility or tower has not been operational for 180 days. In the case of a multi-turbine facility, the Planning Board shall determine in its decision what proportion of the facility has been inoperable for that period of time.

2. Upon abandonment or discontinuation of use, the owner shall physically remove the wind energy conversion facility or tower within 90 days from the date of abandonment or discontinuation of use. For good cause shown this period may be extended at the request of the holder of the special permit at the discretion of the Planning Board. "Physically remove" shall include, but not be limited to:

2.1 Removal of the wind turbine and tower, all machinery, equipment, equipment shelters, security barriers and all appurtenant structures from the subject property,

2.2 Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local and state solid waste disposal regulations,

2.3 Restoration of the location of the wind energy conversion facility to its natural condition, except that any landscaping, grading or below-grade foundation may remain, unless the Building Commissioner determines that this results in a hazardous situation.

3. If an applicant fails to remove a wind energy conversion facility or tower the Department of Public Works may enter upon the subject property and physically remove the facility or tower at the expense of the landowner.

#### G. Application Procedures

##### 1. Pre-Application Conference

Prior to the submission of an application for a special permit under this bylaw, the applicant is strongly encouraged to meet with the Planning Board at a scheduled public meeting to discuss the proposed wind energy conversion facility or tower in general terms and to clarify the filing requirements. The Planning Board shall meet with an applicant under this regulation within 21 days following a written request submitted to the Planning Board with a copy to the Town Clerk. If the Planning Board fails to meet with an applicant who has requested such a meeting within 21 days of said request and said meeting has not been postponed due to mutual agreement, the applicant may proceed with a special permit application under this regulation without need for a pre-application conference.

##### 2. Pre-Application Filing Requirements

The purpose of the conference is to inform the Planning Board about the characteristics and scope, however preliminary, of the proposed wind energy conversion facility or tower. As such, no formal filings are required for the pre-application conference; however, the applicant must prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board of the location of the proposed facility, as well as its scale and overall design.

##### 3. Professional Fees

If the nature of the applicant's project is such that it cannot be adequately reviewed without expertise unavailable to the Planning Board, the Board may retain experts and consultants, and the applicant's payment of their fees and charges shall be a prerequisite of the special permit.

##### 4. Additional Requirements

Within 30 days of holding the pre-application conference, or, if no conference is held,

within 21 days of filing an application for a special permit, the applicant shall arrange for a balloon or crane test at the proposed site to illustrate the height of the proposed facility. The date, time and location of such test shall be advertised in a newspaper of general circulation in the town at least 14 days, but not more than 21 days prior to the test. In addition, within such time period written notice shall be provided to the Planning Board and the Historic Commission by certified mail, return receipt requested, and an identical courtesy notice shall be sent to the Town Clerks of Provincetown and Wellfleet and the Superintendent of the Cape Cod National Seashore.

## 5. Application Filing Requirements

5.1 **The** following plans and data shall be included with an application for a special permit for each wind energy conversion facility:

- a) Name, address, telephone number and original signature (photo-reproductions of signatures will not be accepted) of applicant and any co-applicants. Co-applicants may include the landowner of the subject property or the operator of the wind energy conversion facility. If telecommunications antenna are proposed, a telecommunications carrier should be a co-applicant.
- b) If the applicant or co-applicant files a written authorization, bearing an original signature and providing the name, address, and telephone number of each agent, the applicant or co-applicant may be represented by that agent or agents.
- c) The name and affiliation of the electrical engineers or electricians who will design the connection to the grid or load.
- d) Documentation of the right to install and use the proposed facility and proof of control over the clear area, per Section B.2. of these regulations.
- e) Proposed schedule for the meteorological data acquisition and analysis.  
Proposed schedule for erection and commissioning of the generator.
- f) Identification of the subject property including the name of the nearest road or roads, and street address, if any
- g) Assessor's map and parcel number of subject property
- h) Relevant zoning map with subject parcel identified.
- i) A scaled elevation of the proposed tower.
- j) A vicinity plan drawn at a scale of one-inch-equals-40 feet, signed and sealed by a Registered Professional Engineer or Licensed Surveyor showing the following:
  - i) Property lines for the subject property and all properties adjacent to the subject property within 300 feet.
  - ii) Outline of all existing buildings, including description of existing use, if known (e.g., residence, garage, accessory structure and so forth) located on the on subject property and on all adjacent properties located within 300 feet of the proposed wind energy facility or tower. Distances, at grade, from the proposed wind energy conversion facility or tower to each structure shown on the vicinity plan shall be shown.
  - iii) Proposed location of wind energy conversion facility or tower, including all turbines, fencing, associated ground equipment, transmission infrastructure and access roads. Including:
    - Location of all roads, public and private, on the subject property and on



all adjacent properties within 300 feet including driveways proposed to serve the wind energy conversion facility,

- All proposed changes to the existing property, including grading, vegetation removal and temporary or permanent roads and driveways,
- Representations, dimensioned and to scale, of the proposed facility, including cable locations, parking areas and any other construction or development attendant to the wind energy conversion facility.

iv) Tree cover and average height of trees on the subject property and adjacent properties within 300 feet.

v) Contours at each two feet AMSL (Above Mean Sea Level) for the subject property and adjacent properties within 300 feet.

vi) Representation of location of viewpoint for the sight-line diagram referenced below.

k) A map or plan, as required, showing the connection to the grid or load, as applicable.

l) A map or plan of the route to be used to deliver the components of the equipment to the site.

#### 5.2 Sight lines and photographs as described below:

a) Sight-line representation. A sight-line representation shall be drawn from representative locations that show the lowest point of the turbine tower visible from each location. Each sight line shall be depicted in profile, drawn at a scale of one inch equals 40 feet. The profiles shall show all intervening trees and buildings. There shall be at least two sight line representations illustrating the visibility of the facility from surrounding areas such as the closest habitable structures or nearby public roads or areas.

b) Existing (before condition) photographs. A color photograph of the current view shall be submitted from at least two locations to show the existing situation.

c) Proposed (after condition). Each of the existing-condition photographs shall have the proposed wind energy conversion facility or tower superimposed on it to accurately simulate the proposed wind energy conversion facility when built and illustrate its total height, width and breadth.

#### 5.3 Siting elevations, or views at-grade from the north, south, east and west for a 50-foot radius around the proposed wind energy conversion facility or tower, showing the following:

a) Wind energy conversion facility or tower and, if applicable, the security barrier and associated equipment, with total elevation dimensions for all parts of the facility or tower.

b) Security barrier. If the security barrier will block views of the wind energy conversion facility or tower, the barrier drawing shall be cut away to show the view behind the barrier.

c) Existing trees and shrubs at current height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations shown.

d) Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two-foot contours AMSL.

#### 5.4 Specifications

- a) Specifications for any proposed wind energy conversion facility or tower shall be provided for all equipment and attendant facilities.
- b) Materials for any proposed wind energy conversion facility or tower specified by type and specific treatment. This information shall be provided for the wind turbine tower and all other proposed equipment/facilities.
- c) Colors of the proposed wind energy conversion facility represented by a color board showing actual colors proposed.

#### 5.5 Landscape plan

A landscape plan including existing trees and shrubs and those proposed to be added or removed, identified by size of specimen at installation and species.

#### 5.6 Lighting Plan

The applicant shall provide the Planning Board with a copy of the FAA's determination as to the required markings and/or lights for the structure. If lighting of the site (other than FAA lights) is proposed, the applicant shall submit a manufacturer's computer-generated point-to-point printout, indicating the horizontal foot-candle levels at grade, within the property to be developed and 25 feet beyond the property lines. The printout shall indicate the locations and types of luminaries proposed.

#### 5.7 Environmental Requirements

The applicant shall provide a statement listing the existing noise levels and the maximum future projected noise levels from the proposed wind energy conversion facility. Such statement shall be certified and signed by a qualified sound engineer, and state that noise projections are accurate and meet applicable state requirements.

#### 5.8 Removal

The applicant shall submit a fully inclusive estimate of the costs associated with removal and prepared by a qualified engineer. This cost estimate shall include cost inflation of the removal projected throughout the term of the special permit

### H. Review Guidelines

The Planning Board shall evaluate the information submitted by the applicant based upon the following review criteria and design guidelines:

1. Thoroughness of the application.
2. Compliance with Sections C 2 (Design Standards), C 3 (Environmental Standards) and C 4 (Safety Standards) of this Bylaw.

#### I. Findings of the Planning Board

The Planning Board may permit, permit with conditions, or refuse to permit a wind energy facility.

1. The Planning Board shall have the authority to permit a facility when all the following conditions are met:
  - a. The application has been submitted in accordance with the regulations and procedures as outlined in this section, and substantially meets the requirements of §40.4 H, Review Guidelines.
  - b. The application complies with all current bylaw requirements of the Town.
2. The Planning Board shall conditionally endorse an application for a special permit for a wind energy conversion facility or tower when the following conditions are met:

- a. The application has been submitted in accordance with the regulations and procedures as outlined in this section, and substantially complies with §40.4 H, Review Criteria.
  - b. The project conforms to all requirements of the Zoning Bylaw, with deviations permissible only by a special permit or a variance.
  - c. The application needs further approvals from any other Town Board, Department or Commission, or requires approvals by any state, and/or federal agency.
3. The Planning Board may deny the application for a special permit for any lawful reason, including:
    - a. The application does not include all the materials or information required in this section, or has failed to adhere to the procedures for Special Permit Application as outlined in this section.
    - b. The application as presented is not in compliance with one or more Town Bylaws.
    - c. The application does not substantially comply with the Review Guidelines.
    - d. The plan has been drawn incorrectly or in such form that the Planning Board is unable to determine whether sufficient information is being presented for review.
    - e. The applicant has failed to incorporate and adhere to any condition(s) for endorsement imposed by any other Town Board, Department or Commission, or the requirements of any state or federal agency, which has proper authority to place conditions on a matter before the Planning Board.
  4. The Planning Board may require the applicant to provide a form of surety (i.e. post a bond, letter of credit or establish an escrow account or other) at the Planning Board's option at the time of construction to cover projected costs of the removal of a facility or tower in the event the town must remove the same. The amount of such surety shall be equal to 150 percent of the cost of compliance with this section.
  5. The Planning Board shall render a decision within ninety (90) days of the conclusion of the public hearing, and shall file its written decision with the Town Clerk's office and other appropriate parties in accordance with the provisions of M.G.L. Chapter 40A.
- J. Term of Special Permit for Wind Energy Conversion Facility
 

No special permit for a wind energy conversion facility shall be valid for more than twenty-five (25) years, unless it is extended or renewed. At the expiration of the special permit the wind energy conversion facility shall be removed by the applicant.
  - K. Term of Special Permit for a Wind-Monitoring or Meteorological Tower
 

A special permit for a wind-monitoring or meteorological tower shall be valid for two years, and is subject to renewal for good cause shown.

or take any other action relative thereto.

Requested by the Truro Planning Board  
Planning Board recommendation: 5-0

Board of Selectmen recommendation: 5-0

Comment: This bylaw is intended to regulate the installation of modern wind turbines, ensuring that they are placed appropriately, while minimizing their adverse effect.

### **ARTICLE 36. AREA AND HEIGHT REGULATION**

To see if the town will vote to amend the table § 50.1A of the Truro Zoning Bylaw by addition of the footnote “(8)” in the first line so that the first line of the Table will read:

Minimum lot size	33,750 sq ft (1)(2)(8)
------------------	------------------------

and further to add the following footnote number (8) to the text of § 50.1A:

“8. Except in the Seashore District where the minimum lot size is 3 acres.”

and to condition this amendment upon § 50.1A’s Table and Notes first being approved by the Attorney General, or take any other action relative thereto.

Requested by the Truro Planning Board  
Planning Board recommendation: 4-0  
Board of Selectmen recommendation: 5-0

Comment: This regulation is already stated in § 30.3.Seashore District, Section B. Permitted Uses, line 11. It is being added to the table in order to make it easier to find, consonant with the intention of the new Bylaw.

### **ARTICLE 37. NON-CONFORMING USE**

To see if the Town will vote to add the following language to § 30.7 (Non-Conforming Uses) of the Zoning Bylaw:

D. In the event that a non-conforming structure, which was lawful when built, is so damaged by fire or other natural causes that it can no longer be used for the purpose for which it was being used at the time such damage was inflicted, such structure may be rebuilt as of right within two years of sustaining such damage provided that any non-conformity is not increased in the course of such reconstruction. This right of reconstruction shall not foreclose recourse to the Board of Appeals for such further relief as may be available by special permit or variance.

and to condition this amendment upon Section 30.7 first being approved by the Attorney General, or take any other action relative thereto.

Requested by the Truro Planning Board  
Planning Board Recommendation: 7-0  
Board of Selectmen Recommendation: 5-0

Comment: The object of this paragraph is to provide protection for the substantial number of properties in Truro which are pre-existing and non-conforming.

THIS IS THE END OF THE WARRANT FOR ANNUAL TOWN MEETING 2005

**NOTE: ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES INCLUDING ASSISTIVE LISTENING SYSTEMS (ALS) AND MATERIAL IN ALTERNATIVE FORMATS, MAY BE ARRANGED BY CONTACTING TOWN HALL FOUR (4) BUSINESS DAYS PRIOR TO TOWN MEETING AT (508) 349-7004 x10.**

**ANNUAL TOWN ELECTION BALLOT  
TRURO CENTRAL SCHOOL  
TUESDAY, MAY 10, 2005  
7:00 AM TO 8:00 PM**

Barnstable ss.

To the Constable for the Town of Truro

**GREETINGS:**

In the name of the commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in a Town Election , to vote at Truro Central School on Tuesday, May 10, 2005, from 7:00 am to 8:00 pm for the following Town offices and questions:

<u>NO.</u>	<u>OFFICE</u>	<u>TERM</u>
<b>1</b>	<b>SELECTMAN</b>	<b>3 YEARS</b>
<b>1</b>	<b>SCHOOL COMMITTEE</b>	<b>3 YEARS</b>
<b>1</b>	<b>MODERATOR</b>	<b>3 YEARS</b>
<b>2</b>	<b>LIBRARY TRUSTEE</b>	<b>3 YEARS</b>
<b>1</b>	<b>CEMETERY COMMISSION</b>	<b>3 YEARS</b>
<b>2</b>	<b>PLANNING BOARD</b>	<b>5 YEARS</b>
<b>1</b>	<b>PLANNING BOARD</b>	<b>2 YEARS</b>
<b>1</b>	<b>HOUSING AUTHORITY</b>	<b>5 YEARS</b>
<b>1</b>	<b>HOUSING AUTHORITY</b>	<b>2 YEARS</b>

**QUESTION 1: Shall the Town of Truro adopt section 298 of chapter 149 of the Acts of 2004, (as approved by the October 26, 2004 Special Town Meeting), a summary of which appears below?**

**YES\_\_\_\_\_ NO\_\_\_\_\_**

**QUESTION SUMMARY**

(Acceptance of section 298 of chapter 149 of the Acts of 2004 means the Community Preservation Act shall effectively replace the Cape Cod Open Space Land Acquisition Program. There shall be no additional excise on real property Levied other than the current 3 per cent levied for the provisions of the Cape Cod Open Space Land Acquisition Program. Acceptance of this section shall allow the community to access state Matching funds of up to 100 per cent of the excise on real property currently levied, which was previously unavailable to the Town.)

**QUESTION 2: Shall the Town of Truro be allowed to assess an additional \$175,000.00 in real estate and personal property taxes for the purposes of funding**

**the operating and capital budgets of the Town and the Public School System for the fiscal year beginning July first, two thousand and five?**

**YES\_\_\_\_\_ NO\_\_\_\_\_**

**QUESTION 3: Shall the Town of Truro be allowed to assess an additional \$300,000.00 in real estate and personal property taxes for the purpose of funding the acquisition of a Pumper Truck for the Fire Department for the fiscal year beginning July first, two thousand and five?**

**YES\_\_\_\_\_ NO\_\_\_\_\_**

**QUESTION 4: Shall the Town of Truro be allowed to assess an additional \$100,000.00, in real estate and personal property taxes for the purpose of funding a tractor for a tractor trailer vehicle for the Transfer Station of the Department of Public Works for the fiscal year beginning July first, two thousand and five?**

**YES\_\_\_\_\_ NO\_\_\_\_\_**

**QUESTION 5: Shall the Town of Truro be allowed to exempt from the provisions of proposition two and one-half, so-called, the additional amounts required to pay for the bond issued in order to pay for additional costs of the Council on Aging Senior Center and Community Center, construction project, and for the payment of other costs incidental and related thereto?**

**YES\_\_\_\_\_ NO\_\_\_\_\_**

**This completes the warrant for the May 10, 2005 Annual Town Election Ballot**

In conformity with Section 2.3.5 of the Truro Town Charter, you are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, Fourteen days at least before the date of said meetings.

Hereto fail not and make due return of the Warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this 6<sup>th</sup> day of April in the year of our Lord, Two Thousand and five.


We the members of the Board of Selectmen of the Town of Truro, have read the Warrant for the Annual Town Meeting to be held on Tuesday, April 26, 2005 at the Truro Central School;

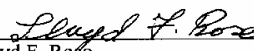
and have read the Warrant Town Election to be held on Tuesday, May 10, 2005 from 7am to 8pm, at the Truro Central School.


Acting in the capacity of the Board of Selectmen of the Town of Truro, we do hereby grant our approval of and permission for posting the above-mentioned Warrants.

  
Alfred Baechter, Chairman

  
Christopher R. Lucy, Vice-Chairman

  
Gary Palmer, Clerk

  
Lloyd F. Rose

  
Paul J. Ashier, Best

a true copy attest:

\_\_\_\_\_  
Cynthia A. Slade, Town Clerk

Sirs and Madam: I have served this Warrant by posting duly attested copies thereof at the following places: Dutra's Market, Punchy's Garage, Sonny's Station, Highland Market, Pamet Valley Liquors, Truro Post Office, North Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Highland Links Clubhouse, and Truro Town Hall.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
date



TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
<b>GENERAL GOVERNMENT</b>						
114	<b>MODERATOR</b>					
	5100 Salary	1.00	1.00	1.00	0.00	1.00
	5700 Other Charges	264.00	269.00	299.00	0.00	269.00
	<b>Total</b>	<b>265.00</b>	<b>270.00</b>	<b>300.00</b>	<b>0.00</b>	<b>270.00</b>
122	<b>SELECTMEN</b>					
	5100 Salaries & Wages	10,000.00	10,000.00	10,000.00	0.00	10,000.00
	5200 Purchase of Services	19,000.00	36,200.00	21,200.00		
	5220 Chamber of Commerce Booklet Assistance	12,000.00	12,000.00	12,000.00		
	5300 Purch. of Svcs.- Audit & Audit Services	19,000.00	17,500.00	24,000.00		
	5700 Other Charges	3,554.00	3,564.00	3,594.00		
	5720 Out-Of-State Travel	1.00	1.00	1.00	0.00	60,795.00
	<b>Total</b>	<b>63,555.00</b>	<b>79,265.00</b>	<b>70,795.00</b>	<b>0.00</b>	<b>70,795.00</b>
129	<b>TOWN ADMINISTRATOR</b>					
	5100 Salaries & Wages	230,742.00	241,864.58	264,561.00	0.00	265,892.00
	5150 Overtime	1,197.00	1,214.00	1,331.00		
	5200 Purchase of Services	11,840.00	12,190.00	9,360.00		
	5400 Supplies	5,400.00	3,820.00	6,820.00		
	5700 Other Charges	8,967.00	9,532.00	9,000.00		
	5720 Out-of-State Travel		1.00	1.00	-	25,181.00
	<b>Total</b>	<b>258,146.00</b>	<b>268,621.58</b>	<b>291,073.00</b>	<b>0.00</b>	<b>291,073.00</b>
131	<b>FINANCE COMMITTEE</b>					
	5200 Purchase of Services	100.00	90.00	90.00	0.00	0.00
	5400 Supplies	20.00	0.00	0.00		
	5700 Other Charges	115.00	105.00	105.00	0.00	195.00
	<b>Total</b>	<b>235.00</b>	<b>195.00</b>	<b>195.00</b>	<b>0.00</b>	<b>195.00</b>
132	<b>RESERVE FUND</b>					
	5600 Intergovernmental Transfers	35,000.00	35,000.00	35,000.00	0.00	35,000.00
	<b>TOTAL</b>	<b>35,000.00</b>	<b>35,000.00</b>	<b>35,000.00</b>	<b>0.00</b>	<b>35,000.00</b>
133	<b>OPERATING CAPITAL ACCOUNT</b>					
	5800 Fire Department: Pumper	224,050.00	289,000.00			
	MIS: MUNIS Implementation - Final Phase			Cap Exclusion	0.00	0.00
	Golf: Dump Truck			50,000.00	0.00	50,000.00
	Golf: Turf Cat Mower			28,405.00	0.00	28,405.00
	COA: Van Lease/Purchase Payment # 3 of 3			22,900.00	0.00	22,900.00
	Pamet Harbor Operations: Replace Guard Rail			7,314.00	0.00	7,314.00
	DPW Tractor			8,500.00	0.00	8,500.00
	Police Cruiser			Cap Exclusion	0.00	0.00
	School Technology Upgrade			36,500.00	0.00	36,500.00
	School: Window Replacement (South Side)			15,000.00	0.00	15,000.00
				65,000.00	0.00	65,000.00
	<b>TOTAL</b>	<b>224,050.00</b>	<b>289,000.00</b>	<b>233,619.00</b>	<b>0.00</b>	<b>233,619.00</b>
135	<b>TOWN ACCOUNTANT</b>					
	5100 Salaries & Wages	80,041.00	92,494.00	97,419.00	0.00	97,419.00
	5200 Purchase of Services	7,355.00	7,800.00	7,250.00		
	5400 Supplies	1,375.00	1,410.00	1,500.00		
	5700 Other Charges	2,350.00	2,765.00	2,765.00	0.00	11,515.00
	<b>Total</b>	<b>91,121.00</b>	<b>104,469.00</b>	<b>108,934.00</b>	<b>0.00</b>	<b>108,934.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
141	<b>BOARD OF ASSESSORS</b>					
	5100 Salaries & Wages	84,205.00	95,750.00	98,094.00	0.00	98,094.00
	5200 Purchase of Services	18,400.00	13,300.00	13,785.00		
	5300 Revaluation Expenses	10,000.00	10,000.00	12,500.00		
	5400 Supplies	1,000.00	1,000.00	1,000.00		
	5700 Other Charges	3,190.00	3,190.00	4,245.00	0.00	31,530.00
	<b>Total</b>	<b>116,795.00</b>	<b>123,240.00</b>	<b>129,624.00</b>	<b>0.00</b>	<b>129,624.00</b>
145	<b>TOWN CLERK/TREASURER/COLLECTOR</b>					
	5100 Salaries & Wages	122,497.00	149,572.73	146,043.00	0.00	146,043.00
	5200 Purchase of Services	20,650.00	22,150.00	24,150.00		
	5400 Supplies	5,100.00	5,100.00	2,100.00		
	5700 Other Charges	2,470.00	2,470.00	2,670.00	0.00	28,920.00
	<b>Total</b>	<b>150,717.00</b>	<b>179,292.73</b>	<b>174,963.00</b>	<b>0.00</b>	<b>174,963.00</b>
151	<b>TOWN COUNSEL</b>					
	5200 Purchase of Services	95,850.00	93,450.00	93,700.00	0.00	93,700.00
	<b>Total</b>	<b>95,850.00</b>	<b>93,450.00</b>	<b>93,700.00</b>	<b>0.00</b>	<b>93,700.00</b>
152	<b>VACATION/SICK LEAVE CONTIN.</b>					
	5100 Salaries & Wages	9,409.00	10,716.12	6,404.00	0.00	6,404.00
	<b>Total</b>	<b>9,409.00</b>	<b>10,716.12</b>	<b>6,404.00</b>	<b>0.00</b>	<b>6,404.00</b>
154	<b>COLA UNDISTRIBUTED</b>					
	5700 Reserved for Transfer	72,868.00	64.54	42,831.00	0.00	42,831.00
	<b>TOTAL</b>	<b>72,868.00</b>	<b>64.54</b>	<b>42,831.00</b>	<b>0.00</b>	<b>42,831.00</b>
155	<b>INFORMATION TECHNOLOGY (FORMERLY COMPUTER OPERATIONS)</b>					
	5100 Salaries & Wages	0.00	0.00	43,146.00	0.00	43,146.00
	5200 Purchase of Services	60,500.00	69,148.00	66,228.00		
	5400 Supplies	8,000.00	8,100.00	6,619.00		
	5700 Other Charges	0.00	300.00	0.00		
	5800 Capital Outlay	0.00	0.00	14,096.00	0.00	86,943.00
	<b>Total</b>	<b>68,500.00</b>	<b>77,548.00</b>	<b>130,089.00</b>	<b>0.00</b>	<b>130,089.00</b>
162	<b>ELECTIONS AND BOARD OF REGISTRARS</b>					
	5100 Salaries & Wages	4,100.00	5,000.00	1,501.00	0.00	1,501.00
	5200 Purchase of Services	810.00	510.00	320.00		
	5400 Supplies	350.00	350.00	350.00	0.00	670.00
	<b>Total</b>	<b>5,260.00</b>	<b>5,860.00</b>	<b>2,171.00</b>	<b>0.00</b>	<b>2,171.00</b>
168	<b>CABLE TV ADVISORY COMMITTEE</b>					
	5200 Purchase of Services	100.00	3,100.00	0.00		
	5700 Other Charges	200.00	200.00	1,500.00	0.00	1,500.00
	<b>Total</b>	<b>300.00</b>	<b>3,300.00</b>	<b>1,500.00</b>	<b>0.00</b>	<b>1,500.00</b>
171	<b>CONSERVATION COMMISSION</b>					
	5100 Salaries & Wages	5,300.00	8,199.83	7,961.00	0.00	7,961.00
	5200 Purchase of Services	520.00	520.00	520.00		
	5400 Supplies	210.00	210.00	210.00		
	5700 Other Charges	200.00	584.00	584.00	0.00	1,314.00
	<b>Total</b>	<b>6,230.00</b>	<b>9,513.83</b>	<b>9,275.00</b>	<b>0.00</b>	<b>9,275.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
175	<b>PLANNING BOARD</b>					
5100	Salaries & Wages	4,945.00	5,406.47	5,000.00	Wages:	5,000.00
5200	Purchase of Services	450.00	450.00	500.00		
5400	Supplies	75.00	75.00	100.00		
5700	Other Charges	300.00	500.00	500.00	All Other:	1,100.00
	<b>Total</b>	<b>5,770.00</b>	<b>6,431.47</b>	<b>6,100.00</b>	<b>Total:</b>	<b>6,100.00</b>
176	<b>ZONING BOARD OF APPEALS</b>					
5100	Salaries & Wages	908.00	1,190.68	1,800.00	Wages:	2,570.00
5150	Overtime	590.00	644.78	770.00		
5200	Purchase of Services	250.00	280.00	280.00		
5400	Supplies	140.00	70.00	100.00		
5700	Other Charges	150.00	150.00	225.00	All Other:	605.00
	<b>Total</b>	<b>2,038.00</b>	<b>2,335.46</b>	<b>3,175.00</b>	<b>Total:</b>	<b>3,175.00</b>
192	<b>TOWN HALL OPERATION</b>					
5200	Purchase of Services	24,847.00	36,240.00	46,730.00		
5400	Supplies	6,850.00	8,800.00	9,150.00	All Other:	55,880.00
	<b>Total</b>	<b>31,697.00</b>	<b>45,040.00</b>	<b>55,880.00</b>	<b>Total:</b>	<b>55,880.00</b>
194	<b>TOWN BUILDING COMMITTEE</b>					
5100	Salaries & Wages	0.00	231.75	232.00	Wages:	555.00
5150	Overtime	0.00	347.11	323.00		
5200	Purchase of Services	200.00	200.00	200.00	All Other:	200.00
	<b>Total</b>	<b>200.00</b>	<b>778.86</b>	<b>755.00</b>	<b>Total:</b>	<b>755.00</b>
195	<b>ANNUAL TOWN REPORT AND ANNUAL TOWN MEETING WARRANT</b>					
5200	Purchase of Services	6,406.00	11,312.00	16,230.00	All Other:	16,230.00
	<b>Total</b>	<b>6,406.00</b>	<b>11,312.00</b>	<b>16,230.00</b>	<b>Total:</b>	<b>16,230.00</b>
196	<b>TOWN ENERGY COMMITTEE</b>					
5200	Purchase of Services	New for 2006	New for 2006	500.00		
5700	Other charges			500.00	All Other:	1,000.00
	<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>1,000.00</b>	<b>Total:</b>	<b>1,000.00</b>
199	<b>MUNICIPAL POSTAGE</b>					
5200	Purchase of Services	18,000.00	17,850.00	17,850.00		0.00
5400	Supplies	150.00	150.00	150.00	All Other:	18,000.00
	<b>Total</b>	<b>18,150.00</b>	<b>18,000.00</b>	<b>18,000.00</b>	<b>Total:</b>	<b>18,000.00</b>
	<b>TOTAL GENERAL GOVERNMENT</b>	<b>1,262,562.00</b>	<b>1,363,703.59</b>	<b>1,431,613.00</b>	<b>0.00</b>	<b>1,431,583.00</b>
	<b><u>PUBLIC SAFETY</u></b>					
210	<b>POLICE DEPARTMENT</b>					
5100	Salaries & Wages	822,130.62	886,656.00	967,935.00	Wages:	1,084,920.00
5150	Overtime	98,346.38	130,000.00	116,985.00		
5200	Purchase of Services	33,450.00	44,500.00	45,100.00		
5400	Supplies	53,000.00	51,950.00	47,000.00		
5600	Intergovernmental	0.00	5,000.00	5,000.00		
5700	Other Charges	14,950.00	16,000.00	16,000.00	All Other:	113,100.00
	<b>Total</b>	<b>1,021,877.00</b>	<b>1,134,106.00</b>	<b>1,198,020.00</b>	<b>Total:</b>	<b>1,198,020.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
219	<b>PARKING MAGISTRATE</b>					
5100	Salaries & Wages	3,548.00	3,764.65	3,765.00	0.00	3,765.00
5200	Purchase of Services	900.00	900.00	900.00		
5400	Supplies	250.00	100.00	1,000.00	0.00	1,900.00
	<b>Total</b>	<b>4,698.00</b>	<b>4,764.65</b>	<b>5,665.00</b>	<b>0.00</b>	<b>5,665.00</b>
220	<b>FIRE DEPARTMENT/RESCUE AND EMERGENCY MEDICAL SERVICES</b>					
5100	Salaries & Wages	108,800.00	123,978.50	123,979.00	0.00	123,979.00
5200	Purchase of Services	10,400.00	10,400.00	10,400.00	0.00	0.00
5300	Training Expenses	5,000.00	5,000.00	5,000.00	0.00	0.00
5400	Supplies	22,800.00	22,800.00	26,000.00	0.00	0.00
5410	Fire Preparedness Fund	7,080.00	0.00	0.00	0.00	0.00
5700	Other Charges	8,300.00	8,300.00	8,300.00	0.00	0.00
5800	Capital Outlay	3,800.00	3,800.00	8,300.00	0.00	58,000.00
	<b>Total</b>	<b>166,180.00</b>	<b>174,278.50</b>	<b>181,979.00</b>	<b>0.00</b>	<b>181,979.00</b>
231	<b>AMBULANCE FUND</b>					
5200	Purchase of Services	74,644.00	70,800.00	93,000.00	0.00	93,000.00
	<b>Total</b>	<b>74,644.00</b>	<b>70,800.00</b>	<b>93,000.00</b>	<b>0.00</b>	<b>93,000.00</b>
232	<b>CAPE &amp; ISLANDS EMERGENCY MEDICAL SERVICES</b>					
5200	Purchase of Services	800.00	825.00	1,500.00	0.00	1,500.00
	<b>Total</b>	<b>800.00</b>	<b>825.00</b>	<b>1,500.00</b>	<b>0.00</b>	<b>1,500.00</b>
241	<b>BUILDING/INSPECTION SERVICES DEPARTMENT</b>					
5100	Salaries & Wages	72,798.00	120,156.00	127,892.00	0.00	127,892.00
5200	Purchase of Services	4,580.00	303.00	2,346.00		
5400	Supplies	1,550.00	2,150.00	1,950.00		
5700	Other Charges	2,060.00	2,060.00	3,534.00	0.00	7,830.00
	<b>Total</b>	<b>80,988.00</b>	<b>124,669.00</b>	<b>135,722.00</b>	<b>0.00</b>	<b>135,722.00</b>
242	<b>PLUMBING &amp; GAS INSPECTOR</b>					
5100	Salaries & Wages	8,065.00	8,312.10	SEE DEPT #241 ABOVE	0.00	0.00
5700	Other Charges	0.00	0.00	SEE DEPT #241 ABOVE	0.00	0.00
	<b>Total</b>	<b>8,065.00</b>	<b>8,312.10</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
245	<b>WIRING INSPECTOR</b>					
5100	Salaries & Wages	8,481.00	8,773.54	SEE DEPT #241 ABOVE	0.00	0.00
5200	Purchase of Services	0.00	0.00	SEE DEPT #241 ABOVE	0.00	0.00
5700	Other Charges	110.00	110.00	SEE DEPT #241 ABOVE	0.00	0.00
	<b>Total</b>	<b>8,591.00</b>	<b>8,883.54</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
249	<b>ANIMAL INSPECTOR</b>					
5100	Salaries & Wages	642.00	680.83	681.00	0.00	681.00
5200	Purchase of Services	250.00	250.00	250.00		
5400	Supplies	260.00	260.00	235.00		
5700	Other Charges	150.00	150.00	150.00	0.00	635.00
	<b>Total</b>	<b>1,302.00</b>	<b>1,340.83</b>	<b>1,316.00</b>	<b>0.00</b>	<b>1,316.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
291	TRURO EMERGENCY MANAGEMENT AGENCY (Civil Defense)					
	5400 Supplies	300.00	300.00	300.00	0.00	0.00
	5700 Other Charges	300.00	300.00	300.00	0.00	600.00
	<b>Total</b>	<b>600.00</b>	<b>600.00</b>	<b>600.00</b>	<b>0.00</b>	<b>600.00</b>
292	DOG OFFICER					
	5100 Salaries & Wages	8,162.00	8,659.21	8,659.00	0.00	8,659.00
	5200 Purchase of Services	1,135.00	1,335.00	1,445.00	0.00	0.00
	5400 Supplies	550.00	480.00	460.00	0.00	0.00
	5700 Other Charges	1,450.00	1,450.00	1,500.00	0.00	3,405.00
	<b>Total</b>	<b>11,297.00</b>	<b>11,924.21</b>	<b>12,064.00</b>	<b>0.00</b>	<b>12,064.00</b>
298	OIL SPILL COORDINATOR					
	5200 Purchase of Services	250.00	300.00	300.00	0.00	0.00
	5400 Supplies	300.00	300.00	300.00	0.00	600.00
	<b>Total</b>	<b>550.00</b>	<b>600.00</b>	<b>600.00</b>	<b>0.00</b>	<b>600.00</b>
299	SHELLFISH WARDEN					
	5100 Salaries & Wages	6,087.00	6,458.10	6,459.00	0.00	6,459.00
	5200 Purchase of Services	900.00	600.00	600.00	0.00	0.00
	5400 Supplies	1,200.00	1,640.00	1,800.00	0.00	0.00
	5700 Other Charges	1,140.00	1,000.00	1,300.00	0.00	3,700.00
	<b>Total</b>	<b>9,327.00</b>	<b>9,698.10</b>	<b>10,159.00</b>	<b>0.00</b>	<b>10,159.00</b>
	<b>TOTAL PUBLIC SAFETY</b>	<b>1,388,919.00</b>	<b>1,550,801.93</b>	<b>1,640,625.00</b>	<b>0.00</b>	<b>1,640,625.00</b>
	<b><u>PUBLIC EDUCATION</u></b>					
300	TRURO PUBLIC SCHOOLS					
	* 9-44 REGULAR DAY PROGRAM					
	1000 SERIES (ADMINISTRATION)	129,605.00	123,144.00	118,594.00	0.00	0.00
	2000 SERIES (INSTRUCTION)	859,571.00	894,776.00	911,752.00	0.00	0.00
	3000 SERIES (OTHER SERVICES)	123,349.00	127,399.00	146,969.00	0.00	0.00
	4000 SERIES (MAINTENANCE)	185,478.00	198,690.00	222,196.00	0.00	0.00
	5000 SERIES (FIXED CHARGES)	0.00	9,828.00	150.00	0.00	0.00
	6000 SERIES (COMMUNITY SERVICES)	0.00	835.00	1,570.00	0.00	0.00
	7000 SERIES (ACQ F/A)	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL DAY TOTALS</b>	<b>1,298,003.00</b>	<b>1,354,672.00</b>	<b>1,401,231.00</b>	<b>0.00</b>	<b>0.00</b>
	* 9-45 CHAPTER 766 (SPECIAL NEEDS)					
	2000 SERIES (INSTRUCTION)	283,177.00	292,943.00	332,755.00	0.00	0.00
	3000 SERIES (OTHER SERVICES)	0.00	320.00	180.00	0.00	0.00
	4000 SERIES (MAINTENANCE)	0.00	0.00	0.00	0.00	0.00
	7000 SERIES (ACQ F/A)	0.00	0.00	0.00	0.00	0.00
	9000 SERIES (OTHER DIS)	70.00	150.00	70.00	0.00	0.00
	<b>TOTAL CHAPTER 766</b>	<b>283,247.00</b>	<b>293,413.00</b>	<b>333,005.00</b>	<b>0.00</b>	<b>0.00</b>
	ADULT EDUCATION & AFTER SCHOOL ACTIVITIES					
	2000 SERIES	4,500.00	4,500.00	4,500.00	0.00	0.00
	3000 SERIES	0.00	0.00	0.00	0.00	0.00
	<b>TOTAL ADULT ED/ASA:</b>	<b>4,500.00</b>	<b>4,500.00</b>	<b>4,500.00</b>	<b>0.00</b>	<b>0.00</b>
	TOTAL SCHOOL BUDGET K - 6:	<b>1,585,750.00</b>	<b>1,652,585.00</b>	<b>1,738,736.00</b>	<b>0.00</b>	<b>0.00</b>
	**LESS SCHOOL CHOICE TUITION REIMBURSEMENTS RECEIVED:	(19,166.00)	0.00	0.00	0.00	0.00
	<b>TRURO NET SCHOOL BUDGET K - 6:</b>	<b>1,566,584.00</b>	<b>1,652,585.00</b>	<b>1,738,736.00</b>	<b>0.00</b>	<b>0.00</b>

\*\*LESS SCHOOL CHOICE TUITION REIMBURSEMENTS RECEIVED:

TRURO NET SCHOOL BUDGET K - 6:

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
<b>SECONDARY REGULAR ED - TUITIONED OUT</b>						
INSTRUCTION						
2000	Sped Paraprofessional Salary	0.00	0.00	18,709.00		
	Sped Paraprofessional Substitutes	0.00	0.00	250.00		
	Sped Tutorial Support 7 - 12	5,000.00	9,000.00	9,000.00	0.00	0.00
	Medical/Therapeutic Services	0.00	2,500.00	0.00	0.00	0.00
	Sped Psychological Contracted Svc-Grades 7-12	4,000.00	5,000.00	5,000.00	0.00	0.00
	Sub-Total:	<b>9,000.00</b>	<b>16,500.00</b>	<b>32,959.00</b>	<b>0.00</b>	<b>0.00</b>
OTHER SCHOOL SERVICES - REGULAR DAY						
3000	Pupil Transportation (7 - 12 ONLY)	92,930.00	96,386.00	115,663.00	0.00	0.00
	Pupil Transportation - Sped	45,148.00	49,983.00	80,584.00	0.00	0.00
	Sub-total:	<b>138,078.00</b>	<b>146,369.00</b>	<b>196,247.00</b>	<b>0.00</b>	<b>0.00</b>
PROGRAMS/OTHER DISTRICTS						
9000	Tuition Grades 7 - 12	1,374,400.00	1,304,478.00	1,436,368.00	0.00	0.00
	Sped Tuitions Grades 7 - 12	0.00	68,000.00	127,708.00	0.00	0.00
	Payments to Non-Public Schools	41,004.00	46,603.00	48,005.00	0.00	0.00
	Payments to Member Collaborative	0.00	0.00	0.00	0.00	0.00
	Sub-total:	<b>1,415,404.00</b>	<b>1,419,081.00</b>	<b>1,612,081.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL SECONDARY REGULAR ED-TUITIONED OUT:</b>						
		<b>1,562,482.00</b>	<b>1,581,950.00</b>	<b>1,841,287.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL SCHOOL BUDGET K - 12</b>						
		<b>3,148,232.00</b>	<b>3,234,535.00</b>	<b>3,580,023.00</b>	<b>0.00</b>	<b>0.00</b>
300	TRURO PRE-SCHOOL PROGRAM					
	TOTAL	<b>83,471.67</b>	<b>82,782.00</b>	<b>83,554.00</b>	<b>0.00</b>	<b>0.00</b>
316	CAPE COD REGIONAL TECHNICAL HIGH SCHOOL ASSESSMENT					
5600	Assessment Due	137,493.00	144,376.00	121,526.00	0.00	0.00
	Total	<b>137,493.00</b>	<b>144,376.00</b>	<b>121,526.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL PUBLIC EDUCATION</b>						
		<b>3,369,196.67</b>	<b>3,461,693.00</b>	<b>3,785,103.00</b>	<b>0.00</b>	<b>3,785,103.00</b>
<b>PUBLIC WORKS</b>						
DEPARTMENT OF PUBLIC WORKS						
400	Salaries & Wages	238,308.00	264,668.93	271,715.00	0.00	284,215.00
5100	Overtime	12,500.00	12,500.00	12,500.00		
5200	Purchase of Services	26,400.00	26,900.00	28,750.00		
5400	Supplies	76,300.00	84,200.00	95,200.00		
5700	Other Charges	4,080.00	4,080.00	2,080.00	0.00	126,030.00
	Total	<b>357,588.00</b>	<b>392,348.93</b>	<b>410,245.00</b>	<b>0.00</b>	<b>410,245.00</b>
423	SNOW REMOVAL					
5100	Salaries & Wages	11,700.00	11,700.00	11,700.00	0.00	11,700.00
5200	Purchase of Services	500.00	500.00	500.00		
5400	Supplies	12,800.00	12,800.00	12,800.00	0.00	13,300.00
	Total	<b>25,000.00</b>	<b>25,000.00</b>	<b>25,000.00</b>	<b>0.00</b>	<b>25,000.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
424	<b>STREET LIGHTS</b>					
	5200 Purchase of Services	7,488.00	4,800.00	4,800.00	0.00	4,800.00
	<b>Total</b>	<b>7,488.00</b>	<b>4,800.00</b>	<b>4,800.00</b>	<b>Total:</b>	<b>4,800.00</b>
430	<b>TRANSFER STATION/DISPOSAL AREA</b>					
	5100 Salaries & Wages	91,356.00	138,450.00	144,642.00	Wages:	151,442.00
	5150 Overtime	6,800.00	6,800.00	6,800.00		
	5200 Purchase of Services	98,025.00	95,525.00	102,407.00		
	5400 Supplies	20,600.00	22,700.00	22,700.00		
	5600 Intergovernmental	200.00	0.00	200.00		
	5700 Other Charges	500.00	1,180.00	1,280.00	All Other:	126,587.00
	<b>Total</b>	<b>217,481.00</b>	<b>264,655.00</b>	<b>278,029.00</b>	<b>Total:</b>	<b>278,029.00</b>
470	<b>PUBLIC BUILDING MAINTENANCE</b>					
	5100 Salaries & Wages	109,184.00	158,715.00	161,981.00	Wages:	165,981.00
	5150 Overtime	3,000.00	4,000.00	4,000.00		
	5200 Purchase of Services	46,733.00	63,873.00	62,873.00		
	5400 Supplies	17,700.00	22,300.00	32,400.00		
	5700 Other Charges & Fees	235.00	235.00	235.00		
	5800 Capital Outlay-Spec Art. Combined	18,500.00	11,500.00	26,500.00		
	5850 Capital Preventative Building Maintenance	32,600.00	98,000.00	51,600.00	All Other:	173,608.00
	<b>Total</b>	<b>227,952.00</b>	<b>358,623.00</b>	<b>339,589.00</b>	<b>Total:</b>	<b>339,589.00</b>
491	<b>TOWN CEMETERIES</b>					
	5200 Purchase of Services	0.00	7,500.00	8,000.00		
	5400 Supplies	200.00	200.00	200.00		
	5700 Other Charges	200.00	200.00	200.00	All Other:	8,400.00
	<b>Total</b>	<b>400.00</b>	<b>7,900.00</b>	<b>8,400.00</b>	<b>Total:</b>	<b>8,400.00</b>
492	<b>SOLDIERS &amp; SAILORS LOTS</b>					
	5200 Purchase of Services	1,200.00	1,000.00	1,700.00	All Other:	1,700.00
	<b>Total</b>	<b>1,200.00</b>	<b>1,000.00</b>	<b>1,700.00</b>	<b>Total:</b>	<b>1,700.00</b>
499	<b>CAPE COD GREENHEAD FLY CONTROL DISTRICT</b>					
	5200 Purchase of Services	500.00	500.00	500.00	All Other:	500.00
	<b>Total</b>	<b>500.00</b>	<b>500.00</b>	<b>500.00</b>	<b>Total:</b>	<b>500.00</b>
	<b>TOTAL PUBLIC WORKS</b>	<b>837,609.00</b>	<b>1,054,826.93</b>	<b>1,068,263.00</b>	<b>0.00</b>	<b>1,068,263.00</b>
	<b>PUBLIC SERVICES</b>					
510	<b>HUMAN SERVICES COMMITTEE</b>					
	5200 Purchase of Services	18,098.00	19,596.00	19,901.00	All Other:	19,901.00
	<b>Total</b>	<b>18,098.00</b>	<b>19,596.00</b>	<b>19,901.00</b>	<b>Total:</b>	<b>19,901.00</b>
511	<b>BOARD OF HEALTH</b>					
	5100 Salaries & Wages		new for 2006	51,907.00	Wages:	51,907.00
	5150 Overtime		new for 2006	0.00		
	5200 Purchase of Services	48,637.00	49,748.00	18,229.00		
	5400 Supplies	800.00	800.00	800.00		
	5700 Other Charges	200.00	200.00	300.00	All Other:	19,329.00
	<b>Total</b>	<b>49,637.00</b>	<b>50,748.00</b>	<b>71,236.00</b>	<b>Total:</b>	<b>71,236.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
512	<b>WATER RESOURCE OVERSIGHT COMMITTEE</b>					
5200	Purchase of Services	5,120.00	41,872.00	27,744.00	0.00	0.00
5600	Services-Lower Cape Regional Water Study	0.00	0.00	0.00	0.00	0.00
5700	Other Charges and Expenditures	250.00	0.00	2,250.00	All Other:	29,994.00
	<b>Total</b>	<b>5,370.00</b>	<b>41,872.00</b>	<b>29,994.00</b>	<b>0.00</b>	<b>29,994.00</b>
515	<b>RECYCLING COMMITTEE</b>					
5200	Purchase of Services	1,200.00	1,200.00	1,190.00	0.00	0.00
5700	Other Charges	0.00	0.00	50.00	All Other:	1,240.00
	<b>Total</b>	<b>1,200.00</b>	<b>1,200.00</b>	<b>1,240.00</b>	<b>0.00</b>	<b>1,240.00</b>
541	<b>COUNCIL ON AGING</b>					
5100	Salaries & Wages	85,951.00	109,500.50	122,790.00	0.00	124,240.00
5150	Overtime	1,200.00	1,493.50	1,450.00		
5200	Purchase of Services	3,560.00	3,586.00	4,330.00		
5400	Supplies	1,180.00	785.00	907.00		
5700	Other Charges	1,958.00	1,958.00	2,133.00	All Other:	7,370.00
	<b>Total</b>	<b>93,849.00</b>	<b>117,323.00</b>	<b>131,610.00</b>	<b>0.00</b>	<b>131,610.00</b>
543	<b>VETERANS SERVICES</b>					
5200	Purchase of Services	8,443.00	8,607.00	9,510.00	0.00	0.00
5700	Other Charges	5,000.00	5,000.00	2,500.00	All Other:	12,010.00
	<b>Total</b>	<b>13,443.00</b>	<b>13,607.00</b>	<b>12,010.00</b>	<b>0.00</b>	<b>12,010.00</b>
545	<b>DISABILITIES COMMITTEE</b>					
5200	Purchase of Services	150.00	150.00	150.00	0.00	0.00
5400	Supplies	75.00	80.00	80.00	0.00	0.00
5700	Other Charges	100.00	100.00	100.00	All Other:	330.00
	<b>Total</b>	<b>325.00</b>	<b>330.00</b>	<b>330.00</b>	<b>0.00</b>	<b>330.00</b>
	<b>TOTAL PUBLIC SERVICES</b>	<b>181,922.00</b>	<b>244,676.00</b>	<b>266,321.00</b>	<b>0.00</b>	<b>266,321.00</b>
	<b>CULTURE &amp; RECREATION</b>					
610	<b>TOWN LIBRARIES</b>					
5100	Salaries & Wages	81,361.34	86,040.02	89,228.00	0.00	89,228.00
5200	Purchase of Services	16,515.00	16,100.00	17,550.00		
5400	Supplies	7,500.00	9,500.00	11,000.00		
5410	Books & Subscriptions	15,000.00	20,000.00	25,000.00		
5700	Other Charges	15,445.00	15,145.00	17,750.00		
5800	Capital Outlay	1,800.00	0.00	0.00	All Other:	71,300.00
	<b>Total</b>	<b>137,621.34</b>	<b>146,785.02</b>	<b>160,528.00</b>	<b>0.00</b>	<b>160,528.00</b>



TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTMENS RECOMMENDATION
630	<b>RECREATION COMMISSION</b>					
5100	Salaries & Wages	53,148.00	61,430.23	64,546.00	Wages:	65,364.00
5150	Overtime		817.82	818.00		
5200	Purchase of Services	13,616.00	23,795.00	27,860.00		
5210	Turo Youth Hockey Program Support	3,000.00	3,000.00	3,000.00		
5400	Supplies	5,495.00	6,070.00	6,965.00		
5600	Intergovernmental Expenses	1,000.00	1,000.00	1,000.00		
5700	Other Charges	1,512.00	1,552.00	1,562.00	All Other:	40,387.00
	<b>Total</b>	<b>77,771.00</b>	<b>97,665.05</b>	<b>105,751.00</b>	<b>Total:</b>	<b>105,751.00</b>
640	<b>BEACH COMMISSION</b>					
5100	Salaries & Wages	79,000.00	115,654.08	132,000.00	Wages:	134,000.00
5150	Overtime	1,000.00	2,060.00	2,000.00		
5200	Purchase of Services	700.00	1,070.00	920.00		
5400	Supplies	7,300.00	9,800.00	10,000.00		
5600	Intergovernmental (Details)	5,200.00	0.00			
5700	Other Charges	1,900.00	350.00	500.00		
5800	Capital Outlay	0.00	7,000.00	4,600.00	All Other:	16,020.00
	<b>Total</b>	<b>95,100.00</b>	<b>135,934.08</b>	<b>150,020.00</b>	<b>Total:</b>	<b>150,020.00</b>
650	<b>GOLF COURSE</b>					
5100	Salaries & Wages	219,629.00	239,276.89	241,573.00	Wages:	242,673.00
5150	Overtime	1,100.00	1,133.00	1,100.00		
5200	Purchase of Services	59,861.00	58,989.00	49,835.00		
5400	Supplies	105,569.00	107,167.00	110,202.00		
5600	Intergovernmental Charges	99,100.00	107,600.00	103,475.00		
5700	Other Charges	3,535.00	4,125.00	4,175.00		
5800	Capital Outlay	18,692.00	11,600.00	3,395.00	All Other:	271,082.00
	<b>Total</b>	<b>507,486.00</b>	<b>529,890.89</b>	<b>513,755.00</b>	<b>Total:</b>	<b>513,755.00</b>
660	<b>PAMET HARBOR COMMISSION</b>					
5100	Salaries & Wages	318.00	506.76	492.00	Wages:	492.00
5200	Purchase of Services	400.00	400.00	400.00		
5400	Supplies	100.00	100.00	100.00		
5700	Other Charges	300.00	300.00	300.00		
5850	Capital Outlay--Maintenance Dredging	68,500.00	71,000.00	72,775.00	All Other:	73,575.00
	<b>Total</b>	<b>69,618.00</b>	<b>72,306.76</b>	<b>74,067.00</b>	<b>Total:</b>	<b>74,067.00</b>
661	<b>PAMET HARBOR OPERATIONS</b>					
5100	Salaries & Wages	31,208.00	39,481.33	42,054.00	Wages:	42,254.00
5150	Overtime	1,500.00	1,030.00	200.00		
5200	Purchase of Services	5,310.00	4,760.00	13,436.00		
5400	Supplies	2,997.00	9,196.00	4,405.00		
5700	Other Charges	675.00	1,125.00	1,625.00		
5800	Capital Outlay	6,000.00	750.00	1,600.00	All Other:	21,066.00
	<b>Total</b>	<b>47,690.00</b>	<b>56,342.33</b>	<b>63,320.00</b>	<b>Total:</b>	<b>63,320.00</b>
691	<b>HISTORICAL COMMISSION</b>					
5400	Supplies	250.00	250.00	250.00		
5700	Other Charges	0.00	0.00	0.00	All Other:	250.00
	<b>Total</b>	<b>250.00</b>	<b>250.00</b>	<b>250.00</b>	<b>Total:</b>	<b>250.00</b>
692	<b>HISTORIC REVIEW BOARD</b>					
5200	Purchase of Services		New for FY 2006	100.00	All Other:	300.00
5400	Supplies			200.00		
	<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>300.00</b>	<b>Total:</b>	<b>300.00</b>

TOWN OF TRURO FY 2006 MUNICIPAL OPERATING BUDGET

DEPT #	ACCOUNT	2004 EXPENDED	2005 APPROPRIATION	'06 DEPARTMENTAL REQUEST	'06 FIN COM RECOMMENDATION	'06 SELECTEMENS RECOMMENDATION
<b>TOTAL CULTURE &amp; RECREATION</b>						
<b>DEBT SERVICE</b>						
<b>RETIREMENT OF DEBT - PRINCIPAL</b>						
710	5910 Long Term Debt Principal Payment	825,721.00	860,401.00	755,401.00	0.00	755,401.00
	Total	825,721.00	860,401.00	755,401.00	0.00	755,401.00
<b>INTEREST PAYMENTS - LONG TERM DEBT</b>						
751	5915 Long Term Debt Interest Payment	144,943.00	213,030.00	197,830.00	0.00	197,830.00
	Total	144,943.00	213,030.00	197,830.00	0.00	197,830.00
<b>INTEREST PAYMENTS - SHORT TERM DEBT</b>						
752	5925 Short Term Debt Interest Payment	140,800.00	98,900.00	10,000.00	0.00	10,000.00
	Total	140,800.00	98,900.00	10,000.00	0.00	10,000.00
	<b>TOTAL DEBT SERVICE</b>	<b>1,111,464.00</b>	<b>1,172,331.00</b>	<b>963,231.00</b>	<b>0.00</b>	<b>963,231.00</b>
<b>EMPLOYEE BENEFITS</b>						
<b>RETIREMENT AND PENSION</b>						
911	5170 County Retirement Assessment	310,193.00	378,351.00	440,687.00	0.00	440,687.00
	Total	310,193.00	378,351.00	440,687.00	0.00	440,687.00
<b>WORKER'S COMPENSATION</b>						
912	5170 Worker's Compensation Insurance	18,817.00	20,566.00	27,900.00	0.00	27,900.00
	Total	18,817.00	20,566.00	27,900.00	0.00	27,900.00
<b>UNEMPLOYMENT INSURANCE COMPENSATION</b>						
913	5170 Unemployment Compensation	70,300.00	70,300.00	65,000.00	0.00	65,000.00
	Total	70,300.00	70,300.00	65,000.00	0.00	65,000.00
<b>GROUP HEALTH INSURANCE - EMPLOYER SHARE</b>						
914	5170 Group Health Premium Payments	585,030.00	661,465.00	723,096.00	0.00	723,096.00
	Total	585,030.00	661,465.00	723,096.00	0.00	723,096.00
<b>GROUP LIFE INSURANCE - EMPLOYER SHARE</b>						
915	5170 Group Life Premium Payments	1,908.00	1,947.00	2,089.00	0.00	2,089.00
	Total	1,908.00	1,947.00	2,089.00	0.00	2,089.00
<b>FICA/MEDICARE INSURANCES - EMPLOYER SHARE</b>						
916	5176 FICA/Medicare Payments	50,750.00	56,700.00	59,350.00	0.00	59,350.00
	Total	50,750.00	56,700.00	59,350.00	0.00	59,350.00
	<b>TOTAL EMPLOYEE BENEFITS</b>	<b>1,036,998.00</b>	<b>1,189,329.00</b>	<b>1,318,122.00</b>	<b>0.00</b>	<b>1,318,122.00</b>
<b>MUNICIPAL LIABILITY INSURANCES</b>						
<b>MUNICIPAL LIABILITY INSURANCES</b>						
945	5700 Insurance Payments	91,621.00	127,683.00	142,448.00	0.00	142,448.00
	Total	91,621.00	127,683.00	142,448.00	0.00	142,448.00
	<b>TOTAL MUNICIPAL INSURANCES</b>	<b>91,621.00</b>	<b>127,683.00</b>	<b>142,448.00</b>	<b>0.00</b>	<b>142,448.00</b>
	<b>GRAND TOTAL OPERATING BUDGET:</b>	<b>10,215,828.01</b>	<b>11,204,218.58</b>	<b>11,683,717.00</b>	<b>0.00</b>	<b>11,683,687.00</b>

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